

THE
ROMAN
HISTORY,

FROM

The Building of *Rome* to the Ruin of
the *Commonwealth*.

Illustrated with MAPS and other PLATES.

V O L. VII.

By N. H O O K E, Esq;

L O N D O N:

Printed for J. and R. T O N S O N; G. H A W K I N S;
and T. L O N G M A N.

M D C C L X V I I.

THE
ROMAN
HISTORY

FROM

The Building of Rome to the Reign of
the Emperors.



VOL. VII.

By N. HOOKER, Esq.

LONDON

Printed for J. and R. Taylor, G. Hawkins,
and T. Evans.

MDCCLXXII

THE Roman History.

SEVENTH BOOK.

From the death of the younger GRACCHUS, in the year of Rome 632, when, *real Liberty expiring*, the *Form* only of the old Constitution remained, to the Dictatorship of SYLLA, in 671, who changed the *Form* of that Constitution,

INTRODUCTION.

CHAP. I.

A Brief relation of the domestic and foreign transactions of the Romans, from the death of C. Gracchus, in the year 632, to the beginning of the Jugurthine war in 642. The conquests of the Romans in Transalpine Gaul. page 12

CHAP. II.

The occasion of the Jugurthine war; its commencement, progress, and conclusion. 34

CHAP. III.

The war with the Cimbri. The second, third, fourth, and fifth Consulships of Marius. 140

CHAP. IV.

The second servile war in Sicily. page 169

CHAP. V.

The sixth Consulship of Marius, year of Rome 653. The violences of Saturninus, Tribune of the Commons. Metellus Numidicus banished. Saturninus, and his associates in sedition, are crushed. Metellus is recalled by a decree made in 654, and returns in 655. Marius makes a voyage into Asia, has a conference there with Mithridates, and returns to Rome in 656. The condemnation of Servilius Cæpio to banishment, in 658. The trial and acquittal of his prosecutor Norbanus, in 659. Rutilius Rufus is maliciously prosecuted, and unjustly condemned to banishment, in 660. 176

CHAP. VI.

Sylla, in 661, is sent into Asia, to check the ambition of Mithridates, King of Pontus. The genealogy, early adventures, and enterprises of this monarch. 196

CHAP. VII.

Livius Drusus, Tribune of the People, undertakes, without success, to procure to the Italian allies the privileges of Roman Citizenship. 204

CHAP. VIII.

The war called the Marfic, the Social, the Italic war; being the war of Rome with her Italian allies. 211

CHAP. IX.

The occasion of the first Mithridatic war. It commences under the conduct of three Roman Generals. 233

CHAP.

Book VII. CONTENTS.

iv

CHAP. X.

Civil commotions raised by Marius, and Sylla now Consul, year of Rome 566. Sylla procures the banishment of his rival. The distresses and adventures of Marius. He passes into Africa. He returns into Italy, on the invitation of Cinna, Consul in 666. The violence and cruelties of Marius and Cinna. Marius dies in the seventh Consulship, year of Rome 667. page 240.

CHAP. XI.

Valerius Flaccus, associated by Cinna in the Consulship for the remainder of the year 667, is likewise appointed by him to succeed to Sylla's command in Asia.

An account of the progress of Mithridates after his defeating the three Roman Generals in 665. The arrival of Sylla in Greece in 666. He there vanquishes the armies of Mithridates.

Sylla passes into Asia, and concludes a peace with the King of Pontus, in 668; returns into Greece in 669 (being the fourth Consulship of Cinna, and the third year of his holding that magistracy by usurpation). From Athens, Sylla writes a menacing letter to the Senate, who had suffered him to be declared an exile, and to be loaded with other injuries and indignities. In 670, he lands in Italy, totally subdues the Marian faction; and proscribes those of his enemies who had escaped his sword, and, in 671, he is constituted Perpetual Dictator. 264

EIGHTH BOOK.

From the year 671, when SYLLA was created *Perpetual Dictator*, to the commencement of the *first Triumvirate*, formed in the end of 693.

CHAP. I.

The laws and institutions of Sylla, when Dictator. Pompey's successes in Africa, for which he obtains a Triumph at his return to Rome. Sylla abdicates the Dictatorship in 674, and dies in 675. page 318

CHAP. II.

Lepidus attempts unsuccessfully an imitation of Sylla. In 676, Pompey is sent into Spain against Sertorius. 343

CHAP. III.

The War of Sertorius in Spain. 350

CHAP. IV.

The War of Spartacus the Gladiator. 378

CHAP. V.

Crassus and Pompey are chosen Consuls for the year 683. Pompey makes his court to the People, by repealing some of Sylla's laws. 391

CHAP. VI.

The Capitol consecrated. War declared against the Cretans. The Gabinian law in favour of Pompey, year of Rome 686. The war with the Pirates. The Manilian law in favour of Pompey, year of Rome 687. 412

THE ROMAN HISTORY.

SEVENTH BOOK.

From the death of the younger GRACCHUS, in the year of *Rome* 632, when, *real Liberty expiring*, the *Form* only of the old Constitution remained, to the Dictatorship of SYLLA, in 671, who changed the very *Form* of that Constitution.

INTRODUCTION.

WHEN, in the year of *Rome* 386, the contest between the *Patricians* and *Plebeians*, on occasion of the new laws preferred by the Tribune *Licinius*, was come to such a degree of heat, as to threaten a sudden flame of civil war; the great CAMILLUS, being then Dictator, turned himself towards the Capitol, and, having prayed the Gods to put an end to the commotion, made a vow to build a temple to CONCORD, if union might be restored among his fellow-citizens. To his devotion he added his best endeavours to re-establish tranquillity, not

See Vol.
III. B. iii.
c. 4. sect. 7.

by a bloody exercise of his dictatorial power, but by exhorting the furious disputants to mutual concessions. His persuasions proved effectual: the *Patricians* suffered the new laws in favour of the *Plebeians* to take place; the *Plebeians* consented to the creation of a new magistracy [the *Prætorship*] in favour of the *Patricians*; and, by this compromise, an end was put to the fierce, and dangerous conflict: and what, though already mentioned, is well worthy to be repeated, The domestic peace, thus restored, had no considerable interruption^a for the space of 230 years, till those *Licinian laws of freedom and equality*, the observance of which had so long maintained the happy coalition, were outrageously violated by the *Nobles*^b. To put a stop to this abuse, which, if

^a In the year 466 there was a *secession* of the debtors and bankrupts to mount *Janiculum*; but, as Mr. Moyle observes (Vol. I. p. 116.) “this is omitted by several historians in the catalogue of the *Roman* seditions;” and “all authors agree that it was composed without bloodshed by *Hortensius* the Dictator, and that it ended in the revival of an excellent but antiquated law.” He adds, From this tumult to the sedition of *Gracchus*, in the 620th year of the city, *Rome* enjoyed a profound quiet and prosperity, not interrupted by the least domestic dissention: an example of lasting tranquillity that can be paralleled in no monarchy whatsoever. This interim of time was the most happy and most glorious period of the *Roman Commonwealth*, &c.” *Ibid.* ch. x.

^b During the *Regal state*, and for many years after the establishment of the *Common-wealth*, none but the *Patricians*, that is, none but the Senators and their descendants, were NOBLE. Hence in many places of *Liwy*, and other authors, we find *nobilitas* used for the *Patrician* order, and so opposed to *plebs*. But in aftertimes, when the *Plebeians* obtained ac-

not checked, must totally ruin the free constitution of *Rome*, was the enterprize of *Tiberius*

cesses to the *Curule* magistracies, they (without ceasing to be *Plebeian*) procured, by those honours, the title of *NOBLE*, and left it to their posterity: [Vid. *Sigon. de Jur. Civ. Rom. lib. ii. c. xx.*] And these *Plebeian Nobles* were, generally speaking, united with the *Patrician* in political views and measures.

Kenn.
Ant.

“ The common division of the people into *nobiles*, *novi*,
“ & *ignobiles*, was taken from the right of using pictures or
“ statues: an honour only allowed to such whose ancestors or
“ themselves had bore some *curule* office, that is, had been
“ *Curule Aedile*, *Censor*, *Prætor*, or *Consul*. He that had the
“ pictures or statues of his ancestors, was termed *Nobilis*; he
“ that had only his own, *Novus*; he that had neither, *Ignobilis*.
“ So that *jus imaginis* was much the same thing among them
“ as the right of bearing a coat of arms among us: and
“ their *Novus Homo* is equivalent to our upstart gentleman.”

Ibid.
Part II.
Book iii.
c. 1.

What Mr. Kennet, in the same chapter, writes concerning another division of the *Romans*, the times we are entering upon make very proper to be here transcribed.

“ When we find the *Optimates* and the *Populares* opposed
“ in authors, it would be unreasonable to make the same distinction betwixt these parties, as *Sigonius* and others lay down,
“ That the *POPULARES* were those who endeavoured by their
“ words and actions to ingratiate themselves with the multitude;
“ and the *OPTIMATES* those who so behaved themselves in all
“ affairs as to make their conduct approved by every good man.
“ This explication agrees much better with the sound of the
“ words, than with the sense of the things. For at this rate
“ the *Optimates* and the *Populares* will be only other terms for
“ the *virtuous* and the *vicious*; and it would be equally hard
“ in such large divisions of men, to acknowledge one side to
“ have been wholly *HONEST*, and to affirm the other to have
“ been entirely *wicked*. I know that this opinion is built on
“ the authority of *Cicero*; [*Duo genera semper in hac civitate
“ fuerunt—ex quibus alteri se populares, alteri optimates et haberi
“ et esse voluerunt. Qui ea, quæ faciebant, quæque dicebant,
“ jucunda multitudini esse volebant, populares; qui autem ita se
“ gerebant, ut sua consilia optimo cuique probarent, optimates
“ habebantur.* Cic. pro Sext. 45.] but if we look on him,

See Vol.
VI. B. vi.
c. 7.

Gracchus, for which he was murdered by a band of Ruffian-Senators, headed by *Scipio Nasica*, who had neither magistracy, nor even the warrant of a special commission from the Senate; though the greater part of its members approved the attempt, and assisted him in the execution. But when *Caius Gracchus* was to be taken off, for having renewed his brother's enterprize, the nobles, who remembered the disadvantages they brought themselves under, by acts of violence without the show of authority, and who had now a Consul fit for their purpose, and wholly at their devotion, armed him with a despotic power to execute the dictates of their rage. And when *Opimius*, by massacres and by executions, without previous form of process, had cut off the most active partisans of the popular cause, he had the piety (in this, without question, an emulator of the devout CAMILLUS) to erect, in memory of his exploit, a temple to CONCORD, as if by the soft arts of persuasion, and by mutual concessions, the civil commotion had been quieted. The people could not behold this monument of tyrannical outrage with-

“ not only as a prejudiced person, but as an orator too, we
 “ shall not wonder, that in distinguishing the two parties
 “ he gave so infamous a mark to the enemies side, and so ho-
 “ nourable a one to his own. Otherwise the murderers of
 “ *Cæsar* (who were the *Optimates*) must pass for men of the
 “ highest probity; and the followers of *Augustus* (who were
 “ of the opposite faction) must seem in general a pack of
 “ profligate knaves. It would therefore be a much more mo-
 “ derate judgment, to found the difference rather on *Policy* than
 “ on *Morality*, rather on the principles of Government, than of
 “ Religion and private Duty.”

out indignation. Under the inscription, on the frontispiece of the temple, was fixed up in the night, by an unknown hand, a line to this effect,

SENSELESS FURY BUILDS A TEMPLE
TO CONCORD.

And, indeed, what could be more extravagant than to hope, that domestic peace and union would be the effect of such measures; or that any measures could be effectual to those ends, so long as the source of the disunion remained?

A late celebrated writer considers the government of *Rome* as then "brought to its perfect state, when its honours were no longer confined to particular families [the *Patrician*], but proposed equally and indifferently to every citizen; who by his virtue and services, either in war or in peace, could recommend himself to the notice and favor of his countrymen;" and therefore he commends the *Tribunes of the Commons* (as I have elsewhere observed) for their labouring this point, and says, "they were certainly in the right, and acted like true patriots." Nevertheless the same writer, in the very same discourse, presently adds, "The Tribunes however would not stop here; nor were content with securing the rights of the Commons without destroying those of the Senate; and as oft as they were disappointed in their private views, and obstructed in the course of their ambition, used to recur always to the populace; whom

Plut.
Dr. Midd.
Pref. to
L. of Cic.
p. 37.

See Vol.
III. B. iii.
ch. 9. Re-
marks, p.
penult. and
Hooke's
Observ. on
Rom. Sen.
p. 193.

VECORDIAE. OPVS. AEDEM. FACIT. CONCORDIAE.

“ they could easily inflame to what degree they
 “ thought fit, by the proposal of *factionous* laws
 “ for *dividing the public lands to the poorer Citi-*
 “ *zens*; or by the *free distribution of corn*; or
 “ *the abolition of all debts*; which are all con-
 “ trary to the quiet, and discipline, and public
 “ faith of societies. This abuse of the tribuni-
 “ cian power was carried to its greatest height
 “ by the *two Gracchi*, who left nothing unat-
 “ tempted, that could mortify the Senate, or
 “ gratify the People; till by their *Agrarian*
 “ *Laws*, and other *seditious* acts, which were
 “ greedily received by the city, they had in great
 “ measure overturned that *Æquilibrium* of power
 “ in the Republic, on which its peace and prof-
 “ perity depended.”

Surely it must appear somewhat strange, that
 this admired author should applaud the *Tribunes*,
 as *true Patriots*, for effecting that which it was
 impossible for them to effect by any other mea-
 sures than those which he condemns as *factionous*
 and *seditious*. Should it be granted, that what he
 says of *dividing the public lands, distribution of*
corn, and *abolition of debts*, is, in the general, true,
 yet certainly it is not true with regard to the parti-
 cular case of the *Roman Republic*. In vain would
Licinius (in 386) have obtained the law which
 capacitated *PLEBEIANS* for the highest offices in
 the state, had the *Patricians* been still permitted
 to engross to themselves the *lands* and possessions
 belonging to it^a. Nor, to make that *law* effec-

^a Dr. Middleton, in judging of these matters, seems to have
 paid too blind a deference to the authority of *Cicero*. The

tual, and thereby establish an *Equilibrium* of power in the Republic, would his *Agrarian Law* have been sufficient, without the *Abolition of the Debts*; those debts retaining the debtors in a real servitude to the *Patrician* creditors, the noble usurers. (There was experience of this during many years after the *Plebeians* were, by a law enacted in 308, made capable of the military Tribuneship). Whatever portion, in the distri-

See Vol.
III. B. iii.
c. iv. § 1.
Ib. § 3.

See
Hooke's
Observ. on
Rom. Sen.
p. 66.

ingenious translator of some of *Cicero's* orations into *English*, not dazzled by the splendor of his author's amazing talents, writes thus, in the preface to his third volume, p. 7. "I am
" sorry to say it, but it appears that our author, though
" an excellent *Senator*, was but an indifferent *Patriot*; and,
" though always an advocate for the *Government*, he seems
" often to have lost sight of the *Constitution*. —

" As our author, from his first entering upon public life,
" was a party in all the transactions of his own times, it is
" unjust to form a decisive notion of public measures, per-
" sons, or characters, from his writings. — If I find that the
" people of *Rome*, from the confession of our author, from the
" concurring testimonies of all writers, and from the nature
" of their constitution, had not only a *natural* but a *positive*
" right to the benefit of *Agrarian Laws*, I am warranted by
" historical credibility to look upon this as an indisputable
" fact. Therefore when I see them struggling for the enjoy-
" ment of those privileges, I am bound in common justice
" to think them *in the right*, and those who oppose them *in*
" *the wrong*. — When I see a justifiable measure pursued,
" and all the reason that I know for opposing that measure,
" must be gathered from the representations of the other party,
" with whom there is *no difference as to facts*, common sense
" obliges me to be very cautious, and distrustful in believing
" the representations of that party, and look upon them as
" colourings designed to *heighten the beauty* of his own *fea-*
" *tures*, and to give a stronger relief to the deformity of his
" antagonist."

See Moyle,
Works,
Vol. I.
p. 72.

See Vol.
VI. B. vi.
c. 7.

bution of the public lands, might have fallen to any poor indebted commoner, his creditor would soon have got it from him in payment either of the principal sum, or of exorbitant interest. And so long as the nobles were possessors of all the lands, so long they could not but be absolute Lords of the State. "Land (says a very ingenious writer) is the true center of power; and the balance of dominion changes with the balance of property.—This is an eternal truth, and confirmed by the experience of all ages and governments; and so fully demonstrated by the great *Harrington*, in his *OCEANA*, that it is as difficult to find out new arguments for it, as to resist the cogency of the old." The nobles of *Rome*, in the time of *Tiberius Gracchus*, seem to have been fully convinced of this; when, even upon the terms of receiving, in money, the value of the lands they had usurped, they could not with any patience listen to the proposal of transferring them to the poor *Plebeians*.

The *Æquilibrium*, of which the admired writer speaks, had been destroyed some years before either of the *Gracchi* was in the office of Tribune: their attempt was to re-establish equality and liberty. And as to the charge against them, that they *were not content with securing the rights of the Commons, without destroying those of the Senate*, it may be answered, that the proper authority of the Senate, that is, their influence in the direction of those affairs, which concerned the *whole* State, was not the thing in question, in the times of the *Gracchi*: nor does it appear that they had any view or desire to destroy it.

Caius

Caius enlarged the prerogative of the Senate in one instance; and, while times continued *regular*, that is, while things stood upon a foot of equality, the Senate's authority, its influence, its weight in the councils, and transactions of the State, was never diminished. The people did always suffer themselves to be governed by the sentiments of the Conscript Fathers, when those sentiments did not tend to the destruction of equality: but the Fathers, intoxicated and blinded by their covetousness and ambition, neither would nor could see their own interest, as a Senate, in the reformations proposed by the *Gracchi*; they chose rather to have power than authority, rather to be feared than revered. And therefore it would seem that all the mischiefs which, after the murder of those two excellent patriots, happened to the Republic, from civil dissensions, ought to be principally imputed to the Senate's inexcusable folly of returning to its old pursuit of unconstitutional wealth and sway.

If it should be said, that, when *Rome* had attained to that prodigious height of power and opulence, to which she was raised by the conquest of *Macedon* and *Carthage*, the scheme of confining the estates of the great men within the limits prescribed by the *Licinian Law*, or within any fixed limits, and of hindering the Roman Freemen of inferior rank from alienating their Lands, was impracticable; the proper answer seems to be, That, if so, then it was impracticable to preserve the constitution any longer: For nothing can be more absurd than to imagine *Liberty* and *Equality*,

an

Ib. c. 10.

See
Hooke's
Observ. on
Rom. Sen.
p. 201.

an *Equilibrium* of power, to endure in a State, where the majority of those, who make the laws, and determine the most important affairs of the Public, have no Land^a, no stable Property; and

^a The ingenious writer, above quoted, imagines (perhaps without sufficient ground), that *Polybius* was unacquainted with the true causes of the Revolutions of the Roman Government. I shall transcribe, from the writer's Essay, some passages that are introductory to his charge against the *Greek Historian*, and are pertinent to our present subject.

Moyle's
Works,
Vol. I.
p. 62.
[Varr. de
Re Rust.
l. i. c. 10.]

" *Romulus*, — to reward the good affections of his new subjects, made an equal distribution among the people, of the territories belonging to *Rome*, except of the Crown and Church Lands: and, as he grew greater, divided all the Conquered Lands among the multitude (a custom followed by most of the succeeding Kings). This donation was a false step, never to be reconciled to the true interest of sovereign power, from that eternal principle, that *equality of possession makes equality of power*: and whenever the balance of property sways to the People, the Monarchy naturally resolves into a popular government. —

P. 63, 64.

— "The generous ambition of extending their Empire, made the Kings of *Rome* sacrifice the rights of the Monarchy to the liberties of the People: for without Freedom and Property they found it impossible to compose a brave or a numerous *militia*; both which are the genuine roots of a Commonwealth: for a People that have property in possession, and swords in their hands, rarely submit to the dominion of one."

— P. 71. "The [Roman] Monarchy resolved into an Aristocracy; and that into a Democracy; and that too relapsed into a Monarchy, as the balance of lands varied from one order to another.

"These periods and revolutions of Empires are the natural transmigrations of dominion, from one form of government to another; and make the common circle in the generation and corruption of all States. The succession of these changes *POLYBIUS* knew from experience, but not from their true natural causes: for he plainly derives these

who,

who, for a subsistence, depend chiefly on what they can get by selling their votes to the rich and the ambitious. And from these premises this inference will, I think, be unavoidable, That all the severe censures, which have been past upon those persons, who, after the murder of the GRACCHI, aimed at *Oligarchy* or *Monarchy*, all the invectives against JULIUS CÆSAR, as the *Invader and Destroyer of the liberties of his country*, are idle talk, empty, unmeaning declamation.

“ alterations from moral reasons; such as vices and corruptions, the oppression and tyranny of their Governors, which made the People impatient of the yoke, and fond of new forms; and not from the change of the only true ground and foundation of power, Property.”

The Reader, if he considers those extracts, from *Polybius's* 6th book, which are in p. 118---123 of the *Observations on the Roman Senate*, will, perhaps, judge, that he imputes the destruction of Liberty, and of the *Æquilibrium* of Power, in the Roman State, to covetousness and ambition, no otherwise than as the unequal and undue distribution of property among the members of it, in the latter times of the republic, was owing to the prevalence of those vices.

C H A P. I.

A brief relation of the domestic and foreign Transactions of the Romans, from the death of *Caius Gracchus*, in the year 632, to the beginning of the *Jugurthine war* in 642.

The Consuls for the year 633 were *P. Manilius* and *C. Papirius Carbo*.

Y. R. 633.
Bef. Chr.
119.
332d Conf.

THAT *Papirius Carbo*, whom we have seen a Commissioner for the execution of the *Agrarian Law*, and, professedly, a fast friend of *Caius Gracchus*, should be immediate successor, in the Consulship, to *Opimius*, the principal actor in the murder of *Gracchus*, will appear very strange, if we do not call to mind, that it was customary to elect the Consuls many months before the time appointed for their entrance on the office. *Carbo* had unquestionably been designed to the Consulship, while *Gracchus's* friends were the prevailing party: otherwise, it would be very hard to account for his being, at this time, in that high station^a. For, that the late massacres,

^a Though the time of the *Comitia* for other matters was undetermined; yet the Magistrates, after the year of the City 601, when they began to enter on their place on the kalends of *January*, were constantly designed about the end of *July*, or the beginning of *August*. Kenn. Pt. II. B. III. ch. xvi.

perpetuated.

perpetrated by the Nobles, had struck an extreme terror into the minds of their adversaries, there needs no stronger proof than the part which *Carbo* acted, presently after his taking possession of the consular fasces. When *Opimius* was, by one of the Tribunes, brought into judgment before the people, for having put *Roman* citizens to death without previous trial and condemnation, *Carbo* undertook his defence. Indeed the commencing this prosecution, while the accused and his faction were ^b triumphant, seems to indicate that it was a mere farce, where the Tribune acted in concert with the Nobles, who knew before-hand what *Carbo*, in his fright, would do, and were sure of a judgment in favour of *Opimius*. Be that as it will, *Carbo* employed all his eloquence (and he was a great orator) to defend the murderer of his friend *Caius Gracchus*. Nor did he content himself with urging, in behalf of his client, the decree of the Senate under which he had acted; but maintained that the action itself

Y. R. 633.
Bef. Chr.

119.
332d Cons.

^b *Popillius*, formerly condemned to banishment for the like violent and illegal proceedings against the friends of *Tiberius Gracchus*, had just been recalled at the motion of *L. Calpurnius Bestia*, one of the Tribunes. *Cic. in Brut.*

Cicero boasts much of this, That, not at the motion of *Opimius*, nor by a decree of the Senate, but at the request of a Tribune, *Popillius* was restored, HIS ENEMIES BEING SLAIN. *Nunquam de P. Popillio L. Opimius fortissimus consul --- senatum aut populum est cohortatus.* Post Red. ad Quir. iv.

Nihil unquam senatus de P. Popillio decrevit: nunquam in hoc ordine Q. Metelli mentio facta est: Tribunitiis sunt illi rogationibus, INTERFECTIS INIMICIS, restituti. Post Red. in Sen. 15.

And again, *Illis qui expulsi sunt inique, sed tamen legibus reducti, INIMICIS INTERFECTIS, rogationibus tribunitiis, inimicorum injuria probro non fuit.* Pro Dom. 33.

was

Y. R. 633.
Bef. Chr.
119.
332d Conf.

Liv. Ep.
l. 61.
Cic. in
Brut. c. 62.
Cic. pro
Sex. 48.
Cic. Off.
l. ii. c. 21.

Y. R. 634.
Bef. Chr.
118.
333d Conf.

Cic. de
Orat. l. iii.
c. 20.

Cic. de
Orat. l. i.
c. 26.

was just, and that the killing *Gracchus* was for the public good^a. His rhetoric being assisted by the influence of his consular authority, and by the whole weight of the Senate, who were made parties in the cause, it is no great wonder if, at this juncture, *Opimius* was acquitted. The *Comitia*, likewise, at the motion of *Octavius*, one of the Tribunes, abrogated the law of *Caius Gracchus* in relation to the distribution of corn, and past another where the largess was less; and, according to *Cicero*, necessary for the people.

But *Carbo*, who had thus basely deserted one party, was himself in the following Consulship of *L. Cæcilius Metellus* and *L. Aurelius Cotta*, deserted by both parties, and suffered to fall a victim to the early glory of the celebrated *LUCIUS CRASSUS*, an orator, at that time but one and twenty years of age: who picked out this hated offender, as a proper subject whereon to make the first trial of his talent for accusing at the bar^b. *Crassus*, being naturally bashful, and having to do with a man of eminent abilities, no sooner began to speak, but his heart failed him, he turned pale, trembled, and was unable to proceed. The Prætor, *Fabius Eburnus*, who presided in the court, perceiving his distress, adjourned the trial to the next day.

The matter of the charge is no where mentioned; but from passages which *Cicero* has pre-

^a *Cum L. Opimii causam defendebat apud populum—C. Carbo consul nihil de C. Gracchi nece negabat, sed in jure pro salute patriæ factum esse dicebat.* Cic. de Orat. l. ii. c. 25.

^b *Val. Max.* l. vi. cap. v. reports, that one of *Carbo's* slaves, having stolen from him a little box, in which were many papers

served

served of *Crassus's* oration, it appears, that the prosecution was set on foot by *Carbo's* new friends.

"*Carbo* (says *Crassus*) though you defended *Opimius*, the judges will not therefore look upon you as a good citizen; for that you then dissembled, and in your defence of *Opimius* had something else in view, is manifest: because you have often in public assemblies deplored the death of *Tiberius Gracchus*; were an accomplice in the murder of *Publius Scipio*; in your Tribuneship proposed *that* law [the law^a empowering the People to re-elect as often as they pleased the same men to be their Tribunes] and always dissented from the *honest*."

Cicero tells us^b, that *Carbo's* coming over to the *honest* not being sufficient to engage the *honest* to protect him, he, to avoid an ignominious sentence^c, put an end to his own life, and (as the re-

that would have served to convict him, brought it to *Crassus*, who generously sent back the slave in chains to his master, together with the box unopened; and the same author, l. iii. c. vii. says, that *Carbo* was condemned to banishment, but in this disagrees with *Cicero*; and though the former story has in itself nothing improbable, yet as *Cicero* never mentioned it in any of his panegyrics on *Crassus*, the truth of it may very well be doubted.

^a The law did not pass in the Tribuneship of *Carbo*. See Qto. Vol. II. p. 542.

^b De leg. l. iii. c. xvi. Cui ne reditus quidem ad bonos salutem a bonis potuit asferre.

^c Cic. in Brut. cap. xxvii. speaking of *T. Gracchus* and *Carbo*: sed eorum alter propter turbulentissimum tribunatum ab ipsa Republica interfectus est; alter propter perpetuam in populari ratione levitatem morte voluntaria se a severitate judicum vindicavit.

N. B. By this it would seem that *Carbo* was prosecuted for

Y. R. 634.
Bef. Chr.

118.
333d Conf.

Cic. de
Orat. l. ii.
c. 40.

Y.R. 634.
Bef. Chr.

118.

333d Conf.

Plut. in
Mar.

port went) by poisoning himself ^d with cantharides.

It was in this Consulship that the renowned CAIUS MARIUS first became a Statesman, being now one of the ^e Tribunes of the People; a Hero who had no Statues nor Pictures of his Ancestors to shew, had no eloquence, no *Greek*; but whom, nevertheless, we shall hereafter see a match for the learned and illustrious NOBLES, in their own way of carrying on business; of talents not inferior to theirs for terminating civil disputes and promoting CONCORD. At the time of his election to the Tribuneship, he was known only for a brave soldier, and skilful officer, of singular assiduity and alacrity in service, unblemished life, strict probity, exemplary sobriety, and a peculiar patience of hardships and discipline. By these qualities, especially the last, he had, during the *Numantine* war, recommended himself to the esteem and favour of *Scipio Æmilianus*, whose only difficulty in that war was to banish luxury from his camp, and restore the ancient discipline

the part he had acted in the dispute, before his Consulship; and so *Pighius* conjectures that the inquisition was continued concerning the sedition, and the accused tried by the Prætors.

^d *Cic. Ep. Fam. l. ix. ep. 21. Caius [Papirius Carbo] accusante L. Crasso, cantharidas sumsisse dicitur.*

^e *Pighius* conjectures he was Quæstor in 629, and his Province *Sicily*; though it does not evidently appear that he was ever Quæstor, since nothing certain can be built upon this passage of *Valerius Maximus*, which is the only foundation of his supposed Quæstorship: *Arpini honoribus judicatus inferior, quæsturam Romæ petere ausus est: patientia deinde repulsarum, irrupit magis in curiam quam venit.* Val. Max. lib. vi. cap. ix.

among his troops. *Scipio*, from his observation of the martial talents of *Marius*, who was then but twenty-three years of age, gave a kind of prophetic testimony of his future glory: for, being asked in flattery, by some of his officers, *where, in case of any accident to himself, the Republic would find a general?* he, gently clapping *Marius* on the shoulder, answered, *Perhaps, here*: words, which, as *Plutarch* reports, were heard by *Marius* as oracular, and which animated him with the hope of being one day able to make a figure in his country. Yet he laboured under great disadvantages with regard to this ambition, by reason of his obscure birth, and illiberal education. Born at *Arpinum* *, or in a village near it, he had there passed all his early youth with his Parents, who were poor, and earned their bread by the labour of their hands: As soon † as he was able to bear arms, he had entered himself a soldier ‡, and, from that time, had lived,

V. R. 634
Bef. Chr.
118,
333d Conf.

* A City
anciently
of the Sami-
nites, now
in the
Kingdom
of Naples.
† Sallust.

‡ Is natus, et omnem pueritiam Arpini altus, ubi primum ætas militiæ patiens fuit, Stipendiis faciundis, non Græca facundia neque urbanis munditiis, sese exercuit; ita inter artis bonas integrum ingenium brevi adolevit. Ergo ubi primum tribunatum militare, &c.

Plutarch reports, that *Marius* made his first campaign under *Scipio Æmilianus*, at the siege of *Numantia*, and was then about 18 years old. But neither of these can be true, if, as *Plutarch* himself repeatedly tells us, *Marius* died at the age of 70. For it is certain that the death of *Marius* happened in the year of Rome 667; consequently he was born in 597, and was twenty-three, in the year 620, when *Scipio* besieged *Numantia*. And as 17 was the age when the *Romans* were reckoned capable of bearing arms, and, according to both *Sallust* and *Plutarch*, *Marius* became a soldier about that age, we must

Y. R. 634.
 Bef. Chr.
 118.
 333d Conf.

almost wholly, in camps and the toils of war; and (to use the phrase which *Plutarch* has borrowed from *Plato*) had never sacrificed to the *Muses* or the *Graces*: However, in the military road to Honour, he took such effectual care to distinguish himself, that, when [after serving the term, by law required, for a qualification] he put in for the post of *Tribune in a Legion*, he had the vote of every Tribe: For though few of the Citizens knew his face, none of them were strangers to his Name and Character.

That Intrepidity, Resolution, Steadiness, would be the stile of his behaviour in *Civil* offices, no less than in *Military*, he gave sufficient ground to expect, presently after his commencing *Tribune of the Commons*, which (as above mentioned) was in this year 634. Having proposed to the People a law more effectually to prevent candidates for offices from tampering with the voters, the Senate (who did not like the measure) made a decree that the law in question should not be put to the vote, and they sent for *Marius* to give an account of his conduct in this matter. *Marius* appeared indeed, but not as to answer for his conduct. Without any ceremony, he let the Consul know that he would send him to prison, if the decree were not in-

suppose that he had served five or six years before he came under *Scipio's* command, who had no military employment from the year 606 to 619. It is also reasonable to think, that *Marius*, when *Scipio* made him the compliment above mentioned (in the Text) was an officer, and had more experience in war than is to be got by serving one year, or a year and a half. Dr. Middleton, nevertheless, in Vol. I. p. 24. of his *Life of Cicero*, has adopted *Plutarch's* mistake.

stantly revoked. *Cotta*, turning to *Metellus*, asked his opinion, who signifying his approbation of the decree, *Marius* called in one of his serjeants, and bade him lead *Metellus* to prison. *Metellus* appealed to the other Tribunes; but not one of them interposed, and the Senate were obliged to revoke their decree. Then *Marius* hastened to the Comitia, and got his law past.

Y. R. 634.
Bef. Chr.
118.
333d Conf.

This action of their new Tribune made the People imagine they had found a champion who would fight all their battles against the Senate, with the like inflexible resolution: He very soon undeceived them: for, with a steadiness equal to that, with which he had opposed the Senate's decree, he opposed a motion of one of his Collegues, for a free distribution of corn to the citizens, and defeated the design: so that now, says *Plutarch*, he gained the esteem of both parties, being looked upon as a man who would gratify neither at the expence of what he thought the public good. He seems however to have lost a great part of his credit, when, not long after, standing successively for the Curule Ædileship, and the Plebeian, both in one and the same day (the first instance of the kind), he could carry neither; and when, three years after his Tribuneship, though chosen Prætor, he was the last named, and even the validity of his election disputed, as if procured by illegal methods. It seems a slave of one *Cassius Sabaco*, a particular friend of *Marius*, had been seen in the voting-place among the citizens, who were giving their suffrages. *Sabaco*, upon his examination, could not deny the fact, but pretended, that, being extremely thirsty, he had

Y. R. 634.
 Bef. Chr.
 118.
 333d Conf.

called for some water, and that his servant, though he had indeed brought it, did not stay a moment^a. Among those, whom the accusers of *Marius* desired might be examined, was his patron *Caius Herennius*, who pleading that the law exempted patrons from giving testimony against their clients, the Judges would have admitted the excuse; but *Marius* himself opposed it: he said, that, from the time any man became a Magistrate, he was nobody's client; which, if we may believe *Plutarch*, was not true but of those who obtained the *Curule Magistracies*. It does not appear what evidence *Herennius* gave, or whether he gave any; nor what foundation there was for the charge; but in the end, the Judges being equally divided in opinion, *Marius* stood confirmed in his office. We are not told where his jurisdiction was. The next year he went *Proprator* into further *Spain*, where he had some success against the *Lusitanians*, and settled a Colony of *Celtiberians* at *Colenda*, in reward for their having assisted him in his expedition. From this time we hear no more of him as acting any part in public life, till the *Jugurthine* war, a memorable period of the *Roman* story, on account both of the surprising events of the war

^a *Sabaco*, for this affair, was the next year, 638, expelled the Senate by the Censors *Metellus Dalmaticus*, and *Domitius Ænobarbus*, (two very wrong headed men, if we judge of them by their behaviour when Generals.) They said that *Sabaco* deserved to be stigmatized, whether he spoke true or false: if false, for his perjury; if true, for his intemperance. They also degraded 32 of the Senators, among whom was *C. Licinius Geta*, a man of consular dignity, and who was himself afterwards chosen Censor. *Liv. Epit. lib. lxii. Cic. in Cluent. Val. Max. lib. ii. cap. ix.*

PART OF

VOLCÆ ARECOMICÆ
Nemausus Nîmes Colony

LANGUEDOC

Aqueduc

Rhone R.

Avenio
Avignon Colony

CAVARES

Cabellio
Cavaillon Colony

Alpt Julia
Apt

ALBICI

Druentia R.

Durance R.

PART OF

DESUVIATES

Arelate
Colony

Arles

Camargue

la

ANATILI

Stagnum
the Pool
of Berre
Mariama
de Martigue
Colony

Alstromela

Calcaria

PROVENCE

Aix
Colony

Aquæ Sextæ

Pourrières

Place
where Marius
defeated the
Teutones

Trevis

Tequilata
S. Maximin

Massilia
Marseilles

Carus or Cavaillon R.

Mouths of the Rhone

THE MEDITERRANEAN SEA

Roman Miles 75 to a degree
Lignes de 25 au degré

itself, and of the civil commotions it gave birth to at *Rome*. But before we enter on the war with *Jugurtha*, it will be proper to see what had been doing in the military way, while the affair of *Caius Gracchus* was depending, and what was afterwards done during the ten years between his murder and that war.

Y. R. 634.
Bef. Chr.
118.
333d Conf.

The conquests of the Romans in Transalpine Gaul.

OF all the Nations beyond the *Alps*, the *Salyi*, says *Florus*, were the first who felt the *Roman* arms. The city of *Massilia* *, ever faithful and friendly to *Rome*, had complained of the hostile incursions of those her neighbours. It has been already mentioned, that in the year 628, *Fulvius Flaccus* ^a, then Consul, began the war, and that it was continued by one of the succeeding Consuls, *Sextius Calvinus*, who vanquished the enemy in a pitched battle, made a complete conquest of their country, and, the next year, when Proconsul, having built the city of *Aix*, planted there a *Roman* Colony, the first that ever past into *Transalpine Gaul*.

Or called
Salluvii.
See Vol.
VI. B. vi.
ch. 9.
* *Mar-*
seilles.

See Vol.
VI. B. vi.
ch. 9.
Y. R. 630.

After this success there could not be wanting a pretext to make further acquisitions. It was alleged, that the *Allobroges* (who inhabited a tract of country that lies between the *Rhone* and the *Alps*, from the *Isere* to the lake of *Geneva*, and whose capital was *Vienne*) had granted protection

^a The same *Fulvius* who was afterwards slain with *Caius Gracchus*.

Autunois
in Bur-
gundy,

Auvergne.

Y. R. 632.
Bef. Chr.
120.

to *Teutomalius*, king of the *Salyi*, when dispossessed of his kingdom. This was sufficient. But it was further alledged, that they had ravaged the lands of the *Ædui*, at that time in alliance with the Republic: for the *Romans* seldom failed to have allies at the back of whatever people they purposed to subdue. It is said however, that the *Ædui* had of their own motion sought the friendship of the *Romans*, and were proud to be by them called Brethren. Over these *Allobroges*, assisted by the forces of *Bituitus*, king of the *Arverni*, the Consul *Domitius* ^b, in 631 obtained, by means chiefly of his elephants, a victory, in which he slew 20000 of the enemy, and took 3000 prisoners. The vanquished brought a new army into the field. Their whole force is said to have amounted to 200,000 men; yet *Fabius* (successor of *Domitius*) with only 30000 gave them an entire overthrow upon the banks of the *Rhone*; in which river, the bridge breaking under them in their flight, most of them were drowned. *Domitius*, who was still in the Province, hearing that *Bituitus*, totally discouraged by his second defeat, was disposed to ask peace of the Consul, and submit, invited him to an amicable conference; and, when the King came, seized on his person, and sent him prisoner to *Rome*, the Proconsul being angry that he chose rather to yield to the Consul than to him. The Senate, says *Valerius Maximus*, could not approve the deed, yet would not release the King, lest he

^b Colleague of that *Fannius*, who, being elected Consul on the recommendation of *C. Gracchus*, employed his consular power in opposing him.

should

should renew the war; but having got his son into their hands, they gave him a *Roman* education, and then sent him home^c.

Fabius, at his return to *Rome*, called himself *Allobrogicus*, and had a triumph, of which the captive Monarch, clad in the splendid arms he used to wear, was the principal ornament. *Domitius*, some time after, with the same King to attend him, had the like honour of the *triumph*: though indeed he had already triumphed abroad; for with his army following him in procession, he had been riding up and down the conquered countries, like an overgrown idiot, upon an elephant. *Florus* remarks, that these two Generals were the first of the *Romans* that ever insulted the van-

Sueton. in
Ner. cap.
2.

^c This year 2. *Mucius Scævola*, called the *Augur*, to distinguish him from 2. *Mucius Scævola*, the *Pontifex Maximus*, went *Prætor* into *Asia*, where he reformed the abuses of the *Publicans*, and regulated the affairs of the province with so much justice and integrity, that the *Asiatics* instituted a festival in honour of him, and called it *Mucia*, from his name. *P. Rutilius Rufus*, one of the most worthy men in *Rome*, assisted him in quality of *Quæstor*. *Cic. de Fin. lib. i. cap. iii. Ascon. Pæd. in Divinat. § 2 Verr. Val. Max. lib. viii. cap. xv. § 6.*

Val. Max. (lib. viii. cap. xv. § 6.) says, that 2. *Mucius Scævola*, colleague to *Crassus* in the *Consulship* (which *Scævola* was the *Pontifex Maximus*) so excellently administered affairs in *Asia*, that the Senate used to propose his Government as an example to the Magistrates that were sent into the provinces. *Pighius* (in anno 632 & 654) says, that both *Scævolas* were *Prætors* in *Asia*, and that both employed *Rutilius*, the one as his *Quæstor*, the other as his Lieutenant; and applies the two Quotations above from *Asconius Pædianus* to *Scævola* the *Pontifex*, though *Asconius* speaks of *Rutilius* as being *Quæstor*, not Lieutenant to *Scævola*.

quished nations, by erecting, in their countries, trophies of the victories obtained over them.

In this same year *Quintus Metellus* (the eldest son of *Macedonicus*) had his triumph, as conqueror [in 630] of the islands called *Baleares*: and the vain man, for having with his heavy-arm'd Legionaries defeated a number of Fishermen, who went naked, and fought only with slings, foolishly took the title of *Balearicus*.

Y. R. 634.
Bef. Chr.
118.
App. in
Illyricis,

In 634 the Consul *L. Metellus* leading an army into *Illyricum*, the *Segestani*, a people of that country, surrendered to him: after which, he, without any provocation, entered *Dalmatia*, where, being received amicably, he took up his winter-quarters in the capital, and, for this exploit, he had a triumph upon his return to *Rome*, and called himself *Dalmaticus*.

Y. R. 635.
Bef. Chr.
117,

The next year *M. Porcius Cato*, and *Q. Marcius Rex*, being Consuls, the former was sent into *Africa*, (on what occasion is not known) and there died. *Marcius*, who had *Transalpine Gaul* for his province, subdued the *Stæni*, at the foot of the *Alps*, and planted a Colony at *Narbonne*, called from him *Narbo Marcius*, which became the capital of the *Roman* conquests in *Transalpine Gaul*, when, four years after, they erected them into the form of a *Prætorian* province.

Y. R. 636.
Y. R. 637.

^d In the following Consulships of *L. Metellus Diadematus*, (second son of *Macedonicus*) and *Q. Mucius Scævola*; *C. Licinius Geta*, and *Q. Fabius*

^d It was in the former of these Consulships that *Marius* suffered the affront before-mentioned, when he stood for the *Ædileship*, and in the latter, that being chosen *Prætor* he was prosecuted for briguing.

Maximus

Maximus Eburnus, it does not appear that any thing was done in the way of conquest.

But in the year following, *M. Æmilius* ^c *Scaurus* (colleague to *M. Metellus*, third son of *Macedonicus*) having *Transalpine Gaul* for his province, made a successful expedition against the *Carni*, at the foot of the *Alpes Penninæ*. He afterwards employed his army in draining the marshes near the *Trebia* and *Placentia*, and making roads in that country. At his return home, he was decreed a triumph; and, by the Censors *Metellus Dalmaticus*, and *Domitius Ænobarbus*, named President of the Senate, in the place of *Metellus Macedonicus*, who died this year, and whose bier was carried by his four sons, of whom one had been Consul and was now Censor, the second had also been Consul, the third was at this time Consul, and the fourth soon after [the very next year] obtained the Consulship.

Scaurus this year got two new laws passed; the one, forbidding the use of some foreign dainties; the other concerning the votes of the Freedmen ^f.

The *Scordisci*, a People of *Thrace*, originally descended from the *Gauls*, who followed *Brennus*,

^c A further account of *Scaurus* will be given where the knowledge of his character is more necessary.

^f Freedmen. This, as *Pigbius* conjectures, enacted that the Freedmen should vote in the four Urban Tribes, whereas from the time of *Sempronius* (the father of the *Gracchi*) they had been confined to one Tribe.

It is said that this haughty Consul was so offended with the Prætor *Decius Mus*, for not rising up when he passed by him, that he made his Lictors force him to it, and break his Curule Chair to pieces. He also by edict prohibited the bringing causes before that Prætor's tribunal. *Auct. de Vir. Illustr. in Scaur.*

Y. R. 638.
Auct. de
Vir. Illustr.
Strab. lib.
v. p. 217.

Fast. Ca-
pit.
Plin. l. ii.
c. 54.
Vell. Pa-
ter. l. i. c.
11.

Plin. l. viii.
c. 57.

Y. R. 639.
Bef. Chr.
113.
Flor. l. iii.
c. 4.
Liv. Epit.
l. lxxiii.

having

having made an irruption into *Macedon*, *C. Porcius Cato* (who had been raised to the Consulship with *M. Acilius Balbus*) was sent with an army to defend the province. Surprised by the Barbarians in an ambush, his army was routed with such slaughter that scarce a man, except himself, escaped. The conquerors immediately spread themselves over *Thessaly* and *Dalmatia*, as far as to the *Adriatic*, where finding a vast extent of waters that put a stop to their progress, they, in despite and rage, darted a shower of javelins into the sea. Soon after, *Didius*, Prætor of *Illyricum*, falling upon them suddenly, while they were plundering the country, put them to the rout, and drove them back into *Thrace*. *Cato*, at his return to *Rome*, was prosecuted for extortion in his province, and being condemned, went into banishment to *Tarraco* in *Spain*. The sum in question was no more than about 32 pounds, according to *Velleius Paterculus*, or 150 according to *Cicero*; a mere trifle; but *Paterculus* most gravely remarks, that men had more attention to the nature of the crime, and the disposition of the criminal, than the extent of the injustice done. The Knights, who were the Judges at this time, must have been very worthy men, contrary to what *Cicero* would have us believe; or this remark of *Paterculus* is very much misplaced. The condemnation of *Cato* was undoubtedly owing to some private spleen, or perhaps the public indignation against him, for letting himself be surprised by the enemy, and thereby losing the lives of so many citizens, whose kinsmen and friends could not forgive him.

In

Cic. pro
Balb. l. 11.
Cic. in
Verr. iii. c.
30. & iv. c.
10.
L. ii. c. 8.

mans
certai

In this Consulship happened an accident which alarmed the *Roman* superstition, and was followed by a discovery that occasioned a good deal of noise and bustle at *Rome*. *Helvius*, a *Roman* Knight, going with his daughter into *Apulia*, was overtaken upon the road by a storm of thunder. A flash of lightning killed the young woman, and the horse she rode upon, at the same time stripping her of her clothes, and the horse of his saddle, and bridle. The Augurs declared that this mischance portended disgrace to unmarried women, and the Equestrian order. Soon after a criminal correspondence was discovered between three *Roman* Knights and three Vestals.

And the next year, when *C. Metellus*, surnamed *Caprarius* (the fourth son of *Macedonicus*) and *Cn. Papirius Carbo*, were Consuls, *L. Metellus* the Pontifex, and the pontifical college condemned *Æmilia*, the most guilty of the three priestesses, to the usual punishment in such cases; but acquitted the other two, *Marcia* and *Licina*, the latter of whom was defended by her relation *Crassus* the Orator, he being then 27 years old.

The People, dissatisfied with this sentence, ordered the cause to be tried anew; and by a special commission appointed *L. Cassius* to be Judge; a man so severe, that his Tribunal was called *Scopulus Reorum*; that is, the rock, on which, those who were arraigned before him, were sure to split, if they were guilty. He condemned *Marcia*, and *Licina*, and several others; and, to expiate their crime, the Senate, after consulting the *Sibylline*

* *Plutarch* tells us, that the *Sibylline* books directed the *Romans* to bury alive two *Greeks* and two *Gauls*, as offerings to certain strange malignant *Genii*. *Plut. in Quest. Rom. c. lxxxiii.*

books

Jul. Obseq.
c. 97.
Oros. l. v.
c. 15.
Plut. in
Quest.
Rom. c.
83.

Y. R. 640.
Bef. Chr.
112.
Fenestell.
ap. Ma-
crob. Sat.
l. i. c. 10.

Ascon.
Pæd. in
Cic. Orat.
pro Mil. c.
12.
Cic. in
Brut. c.
43.
Val. Max.
l. iii. c. 7.
§ 9.
Ovid. Fast.
l. v. Jul.
Obseq.
Plin. l. vii.
c. 35.
Val. Max.
l. viii. c.
15. § 12.

books, ordered a temple to be built to *Venus Verticordia*, who was to be implored to change the hearts of the *Roman* women, and make them more chaste. When the statue of this Goddess was to be consecrated, the Romans judged it proper to give the honour to her of all the ladies who had the best reputation for chastity. First a hundred ladies of the most irreproachable manners were selected from the rest; then from this number ten were taken by lot; and these ten gave the preference to *Sulpitia*, daughter of *Paterculus*, and wife of *Fulvius Flaccus*.

Val. Max.
l. ii. c. 7.

Among the accused was *M. Antonius*, the famous orator, and grandfather of the Triumvir. He was at this time Quæstor, and just setting out from *Brundisium* for *Asia*, when he received notice that an accusation was lodged against him before *Cassius*. By the law he might have declined appearing, as being employed in the service of the Commonwealth; but chusing to stand a trial, he came back to *Rome*. It is said that, though innocent, he was somewhat alarmed, when the prosecutors demanded that a young slave, who was supposed to be privy to his intrigue, should be examined by torture, because he doubted of the resolution and steadiness of the youth. But the boy bid his master fear nothing, offered himself to the torture, and supported it with an unshaken constancy.

Val. Max.
l. vi. c. 8.

An inundation of Barbarians from the North, at this time threatened *Italy*. The *Cimbri*, a People whose origin is uncertain, but who not long before this inhabited the *Cimbrica Chersonesus* (now *Jutland* and *Holstein*) had in ^b confede-

^b According to *Liv. Epit. l. lxxvii.* and *Jul. Obseq. de Prodig.* 103. the *Teutoni* did not join the *Cimbri* till some years after

racy with the *Teutoni*, their neighbours, left that country to seek for new habitations. *Plutarch* makes their number amount to 300,000 fighting men, who were followed by a yet greater number of women and children. At first they fell upon the *Boian Gauls*, who inhabited part of the *Hercynian* forest (which part had from them the name of *Bohemia*), by whom being repulsed, they turned towards the Roman provinces, penetrating into *Noricum*. The Consul *Papirius*, whom the Senate immediately ordered into *Illyricum*, to oppose their progress, posted himself in the passes of the *Alps*, and thence sent to ask why they ravaged the territory of the *Norici*, who, he said, were *Friends of the Romans*, though in truth, the *Romans* had no treaty of friendship with them. The *Cimbri*, by their ambassadors, answered, that they respected the Roman name, had no intention to attack any nation in alliance with *Rome*, were going to quit *Noricum*, and to seek a settlement in countries where the *Romans* had no concern. *Papirius*, believing this answer to proceed from fear, and wisely projecting to gain abundance of honour by a stroke of perfidy, furnished the *Cimbrian* Ambassadors with guides, who, under pretence of conducting them back by the best road, were to lead them by such a round-about way, as to give him an opportunity, by taking a shorter, to surprize them, and with his whole army fall upon them at once. The stratagem did not succeed; the *Cimbri*, though

this: but *Velleius Paterculus*, *Plutarch*, *Florus*, *Eutropius*, and *Orosius*, speak of the *Teutoni* as joined with the *Cimbri* in all their wars with the *Romans*.

surprized,

Liv. Epit.
63.
Tacit. de
Mor.
Germ.

Strab. l.v.
p. 214.

surprized, were not disconcerted; they drove the Consul out of the field, and, had it not been for the sudden tempestuousness of the weather, would have destroyed his whole army. The Barbarians made no advantage against the *Romans* of their victory; but, for some reason unknown, turned away to the country of the *Helvetii*, where they were probably joined by the *Ambrones* (who are thought to have been a Canton of the *Helvetii*) and from thence spread themselves over *Transalpine Gaul*, carrying with them slaughter and desolation.

Metellus, the other Consul, made a successful expedition against the *Scordisci*.

Liv. Epit.
63.
Flor. l. iii.
c. 4.
Y. R. 641.

And the next year *M. Livius Drusus* (who was in the consulship with *L. Calpurnius Piso*) forced them to repass the *Danube*, which served ever after as a barrier between them and the Roman provinces.

C H A P. II.

The occasion of the *Jugurthine war*; its commencement, progress, and conclusion.

SALLUST tells us, that he wrote the History of the *Jugurthine war* for these two reasons, That it was an important and bloody war, and of great variety in the fortune of it; and that, during this war, the *first stand* was made against the insolent pride of the Nobility; the commencement of a struggle maintained with such party-rage as at length to produce a civil war and the desolation of *Italy*.

To give an account of the cause and origin of the *Numidian war*, it will be necessary to go a little back. It has been formerly observed, that *Masiniſſa* received from the Romans the Kingdom of *Numidia*, in reward of the services he had done them against the *Carthaginians*. At his death he left three legitimate sons, *Micipsa*, *Gulussa*, and *Manastabal*, who, without dividing their father's Kingdom, shared ^a the Government of it among them. The two latter dying, *Micipsa* reigned alone. This Prince had two sons, *Adherbal* the elder, *Hiempsal* the younger. He had also a ne-

^a The elder *Scipio* is said to have made this distribution in virtue of a power given him by the verbal will of *Masiniſſa* when dying. - See Vol. VI. Book v. ch. xxvi.

phew named *Jugurtha*, the son of his brother *Ma-nastabal*, but whom, being born of a concubine, *Masiniſſa* had left in a private condition. *Micipſa* however took him into his own houſe, and educated him with his own ſons. *Jugurtha* had great natural talents, was remarkably handſome, and excelled in ſtrength. Active and induſtrious, he continually exerciſed himſelf in riding, throwing the lance, diſputing the prize with his companions in the race, or in hunting lions and other wild beaſts; at which ſports he always endeavoured to be the firſt, or among the foremoſt, to wound the beaſt. And though he performed more hardy exploits than any of his companions, and was much ſuperior to them all in his exerciſes, yet, never boaſting of his advantages, he was by all extremely beloved. At firſt the King of *Numidia* rejoiced in the good ſucceſs of his care, as thinking *Jugurtha* would be an honour to the Kingdom. But afterwards reflecting on his own great age, the tender years of his ſons, the temptation of a throne, and the fondneſs of the *Numidians* for his nephew, he began to fear, leſt the daring and ambitious ſpirit of that Prince ſhould meet with too favourable an opportunity to diſplay itſelf. Under theſe apprehenſions the King would have privately made away with him, had he not been afraid of a ſedition, or a general rebellion, as the probable conſequence of ſuch an act. Being at this time to furniſh the *Romans* with a body of troops to ſerve under *Scipio* at the ſiege of *Numantia*, he reſolved to give *Jugurtha* the command of them, entertaining ſome hope of getting

rid

rid of him by the chance of war; a hope founded on the forward and enterprising spirit of the youth. But this measure, taken for the destruction of *Jugurtha*, turned to his advantage. By his ability in council, his bravery in fight, his strict obedience to orders, and his success in every enterprize, he gained in a short time the esteem and love both of the Roman soldiers and of their General. There were at that time in the army many persons, both of the old and new Nobility, with whom wealth was preferable to virtue and honour, all furious party-men, very powerful at *Rome*, and more known than esteemed among the confederates. These men inflamed the ambition of *Jugurtha*, by telling him, that, at the death of *Micipsa*, he might easily make himself the master of *Numidia*; that he did not want ability for such an enterprize, and that at *Rome* all things were venal.

When *Scipio*, after the reduction of *Numantia*, was about to send back the auxiliary troops, he, in the presence of the whole army, made *Jugurtha* magnificent presents, accompanied with extraordinary praises; and then leading him into his own pavilion, there admonished him privately, to cultivate the friendship of the Roman people, rather by services to the public, than by gifts to private men; adding, that it would be dangerous to attempt to purchase of a few, what belonged to many; that, if he would continue in the diligent exercise of his talents and virtues, he could not fail of acquiring both glory and a crown^a; but

^a If we call to mind the unprecedented division, which the first *Africanus*, upon the death of King *Masimissa*, made of the

that if he should be so hasty to attain his purpose as to have recourse to bribery, his money would prove his destruction. After this advice, he dismissed him with a letter for *Micipsa* to the following effect :

“ Your *Jugurtha* has behaved himself incomparably well in the war of *Numantia* ; to know this, will, I am sure, give you much joy. To me his merit has made him very dear : and I shall use my best endeavours that he be equally so to the senate and people of *Rome*. I congratulate you on this occasion with the cordiality our friendship requires. Your nephew is indeed worthy of you, and of his grandfather *Masinissa*.”

Micipsa, finding the reports he had already heard of his nephew's merit, confirmed by the Roman General, and, perhaps, now finding his former scheme less practicable than before, turned his thoughts how to gain the affections of *Jugurtha*, and to secure, for a friend and protector of his children, him, whom he could not destroy as an enemy ; and with this view he adopted him, and, by his will, left him joint heir with his own sons. And when, a few years after, he found himself

regal power among his three sons ; and if we compare it with the discourse of the Roman Nobles, in the camp, to *Jugurtha* ; the encouragement, which accompanied the more sage advice of the second *Africanus* to the youth, to hope a crown ; and the proceedings of the Roman Senate, in relation to the affairs of *Numidia*, after the death of *Micipsa* and *Jugurtha*'s usurpation of the kingdom ; may we not from the whole, without too great refinement, conclude, that the Romans had, at least from the demise of *Masinissa*, if not long before, formed the design of taking *Numidia* into their own possession ?

drawing

drawing near his end, he is said to have pressed his nephew, in a very pathetic manner, to be friendly to his sons, and to have exhorted his sons to imitate the virtues of his nephew, their adopted brother, telling them what a reproach it would be to them, if it should appear to the world, that their father had been more happy in adopting, than in begetting sons.

The old King died, and, when the funeral was over, the three Princes met to consult about their affairs. At this meeting, *Hiempsal*, the younger of the legitimate sons, a youth of high spirit, seated himself on *Adherbal's* right hand, that *Jugurtha*, whom he had always despised for his mean birth, might not be in the middle, the place of honour among the *Numidians*; and it was with great difficulty he was prevailed upon by the earnest intreaties of his brother to remove to the left of *Jugurtha*. And when *Jugurtha* proposed the repealing all the acts and edicts made by *Micipsa* in the five last years of his reign, because the King was then old, and his intellects impaired, *Hiempsal* briskly answered, "by all means; I am entirely of your opinion; for within the three last years you were adopted into the family." Words, which sunk deeper into the mind of *Jugurtha* than any one at that time imagined. His whole study from that moment was how to accomplish a speedy revenge.

According to *Sallust*, *Jugurtha* compassed his design by corrupting the host, with whom *Hiempsal* had taken up a temporary residence. This traitor admitted by night into the house a party of soldiers, who having found *Hiempsal* in a loft,

he had hid himself upon the first alarm, cut off where his head, and carried it to their master. Upon the news of this base murder, the *Numidians* divided themselves into two parties; the greater number declared for *Adherbal*; but all the best soldiers adhered to *Jugurtha*. The latter soon appeared in the field, and took some towns by force; others voluntarily submitted to him; and he pushed for the entire monarchy of *Numidia*.

Adherbal, though he had dispatched Ambassadors to *Rome*, to inform the Senate of the murder of his brother, and his own situation, yet, depending upon his superiority in number, ventured a battle with the enemy. Being vanquished, he fled into the Roman province, and from thence proceeded to *Rome*.

Jugurtha, now master of all *Numidia*, and having leisure to reflect upon what he had done, began to dread lest the *Romans* should take up the quarrel of his rival. His only hope of being screened from their resentment was in his own treasures, and the covetousness of the Roman Nobles. He dispatched Ambassadors therefore in all haste to *Rome*, with immense sums of money, and with orders, first, by most ample presents, to secure his old friends, then to acquire new; and lastly, to buy all who were to be bought. The Ambassadors executed their commission with unwearied diligence; and such a change, says *Sallust*, ensued, that *Jugurtha*, from being hated and detested, be-

* If we believe the epitome of *Livy*, *Hiempsal* was vanquished and slain in battle by *Jugurtha*.

came a great favourite of the Nobility, insomuch that some, engaged by hope, others, gained by actual bribes, made themselves solicitors to the rest of the Senate, that no severe decree might pass against the King. When the Ambassadors thought themselves sufficiently secure of their point, the Senate gave audience to both parties. *Adherbal* is said to have made a long speech; wherein he displayed the uncommon kindness which his father *Micipsa* had shewn to *Jugurtha*, from his very infancy to the time when he adopted him; the extreme baseness of the latter, whom no obligations could engage to gratitude. He repeatedly expressed a concern that he should be troublesome to the Senate before he had merited their favour by any service, yet he hoped that the remembrance of *Masiniissa's* services, and constant zeal for the glory of the Roman name, would be sufficient to procure, from the Roman Senate and People, a protection for his grandson.

As soon as the King had done speaking, *Jugurtha's* Ambassadors, relying more on the force of their presents than the justice of their cause, returned a short answer; That *Hiempsal* had been slain by the *Numidians* for his cruelty; that *Adherbal* had been the aggressor in the late war; that because, being vanquished, he could not do the injury he intended, he now complained; and that as to *Jugurtha*, he earnestly requested of the Senate not to think, that he was a different man from him they had known at *Numantia*, nor give less credit to his actions than to his enemy's words.

This said, *Adherbal* and the Ambassadors withdrew, and the Senate went upon the affair. Not only all those of the *Fathers* whom *Jugurtha* had corrupted, but those who were under their influence, treated with scorn whatever had been alledged by *Adherbal*, extolled, in the highest strains of praise, the virtue of the King, pleaded for him, solicited for him, and, in short, expressed as much zeal for the justification of his infamous actions, as if their own honour had been in question. Some few there were, who, preferring justice and good conscience to money, declared for succouring *Adherbal*, and severely revenging the murder of his brother. The man who spoke the most warmly for this measure, but not from any love of virtue or justice, was *Æmilius Scaurus*^d, a person of high birth, of active spirit, factious, greedy of power, honours and riches, but very skilful in concealing his vices. He observing in how open and shameless a manner the King's money was distributed among the Senators, and apprehending lest such prostitute venality should rowse the popular indignation, laid a restraint, for the present, on his habitual covousness.

The party, however, which favoured *Jugurtha*, prevailed; and it was voted that ten Commissioners should be sent into *Africa*, to divide *Numidia* between the two rivals. At the head of these Commissioners was *L. Opimius*, a person of great di-

^a He was afterwards Consul and Prince of the Senate, as we have observed, in the year 638.

stinction, and at that time of great weight in the Senate, because he had so cruelly executed the revenge of the Nobles upon *C. Gracchus* and the commons. Though *Opimius* had been bought by *Jugurtha*, and had appeared his friend at *Rome*, yet, when that Senator landed in *Africa* with the other Commissioners, he was received with wonderful ceremony by the *Numidian*; who, presently after, by rich presents, in private, and a promise of richer, gained him so effectually, that he preferred the interest of the King's ambition to his own reputation, honour, and every other concern. The greater part of his colleagues were likewise gained to the King by the same means; so that, in the division of *Numidia*, the most populous and most fertile provinces, which are those bordering upon *Mauritania*, were assigned to *Jugurtha*. *Adherbal's* share had a better appearance, as being better provided with harbours, and fine buildings, but, in reality, had more of shew than of strength.

Jugurtha perceiving, by this new partition of *Numidia*, that his crimes, instead of being punished, were rewarded by the Roman deputies, became perfectly convinced of the truth of what his friends at *Numantia* had told him, that all things were venal at *Rome*; and being likewise animated by the promises of those whom he had just loaded with presents, he boldly resolved to possess himself of the territory allotted to *Adherbal*. With this view, at the head of a great army, he made incursions upon his frontiers, carrying thence abundance of captives, cattle, and other booty, into his own dominions. He supposed that *Adher-*

bal would resent and revenge the injury, and, by making reprisals, furnish him with some shadow of pretence to commence a war in form. But *Adherbal*, being a weak and spiritless Prince, conscious of his inferiority to his brother, not only in troops, but in the art of war, and depending more upon the friendship of the *Romans* than upon his *Numidian* subjects, sent deputies to *Jugurtha* to complain of his depredations; and, though he received an insulting answer, he chose to bear every thing rather than expose himself to an open war. *Jugurtha* finding that he could not provoke *Adherbal* to have recourse to arms, and being eager to attain his purpose, threw off all disguise, and with a numerous and regular army invaded his neighbour's kingdom, with a manifest purpose to make a conquest of it. *Adherbal* had now no other choice, but either to abandon his kingdom a second time, or attempt to defend it with the sword. He chose the latter. The armies of the two Kings advanced to meet each other, and both encamped near *Cirta*. *Jugurtha*, the night following, surprised the camp of his enemy, and forced it. *Adherbal*, with a few horse, fled to *Cirta*, and, had it not been for a considerable number of *Romans* then in the town, who defended the walls against the pursuers, the same day had seen the beginning and end of the war between the two Kings.

Jugurtha laid close siege to the place, employing his utmost efforts to take it before any message should arrive from *Rome*; for he had learnt that the distressed King had sent Ambassadors thither before the late battle. The Senate having advice,

that the Kings were at war, dispatched three young *Romans* to signify to both, that it was the will and appointment of the Senate and people of *Rome*, they should desist from the war, and have recourse to reason, instead of arms, for terminating their differences. These Ambassadors made the more expedition, because, while they were preparing for their departure, a report arrived (though not much credited) of the battle, and of the siege of *Cirta*. When, after their arrival, they had declared their commission to *Jugurtha*, he answered to this effect, that there was nothing he so perfectly revered as the authority of the Roman Senate—that from his earliest youth he had always endeavoured to behave himself so as to merit the approbation of every good man—that it was by a virtuous, not a vicious, conduct, he had gained the favour of that great man, *P. Scipio*—that *Micipsa*, for the same reason, and not for want of sons, had adopted him—that the more praise-worthy his course of life had been, the less patiently was he able to bear with insults and injuries—that *Adherbal* had insidiously attempted his life; and that, for his part, he had only taken measures to preserve himself—that the Roman people would not do justly, if they forbade him to defend what was his right by the law of nations; and he concluded with saying, that he would shortly send Ambassadors to *Rome*, to satisfy the Senate in every particular.

With this answer, and without having been permitted to see *Adherbal*, the Ambassadors returned to *Italy*, while *Jugurtha* renewed his attacks on the place with fresh vigour.

Adherbal,

Adherbal, after five months siege, driven to extremity by famine, engaged two of his followers to attempt making their way through the enemy's quarters to the next sea-port, and thence to *Rome*, with a letter from him to the Senate. His messengers had the fortune to succeed; they arrived at *Rome*, and delivered the letter. It contained a moving complaint of *Jugurtha's* unjust violences, and more cruel intentions. In the most pressing terms, he begged of the *Fathers*, not that they would restore him to his kingdom (they might give *that* to whom they pleased; it was theirs); not that they would preserve him from death; but only that they would save him from falling into the hands of *Jugurtha*, the most cruel of men, and who would not fail to tear away his life by the most exquisite tortures.

Some of the *Fathers* were of opinion, that they ought, with all possible expedition, to send an army into *Africa*; and, in the mean time, come to a resolution concerning what punishment should be inflicted on *Jugurtha*, for his disobedience to the orders of the Senate. His friends however bestirred themselves so effectually in his behalf, that they hindered this advice from being followed. All that the favourers of *Adherbal* could obtain, was, that new Commissioners, men of dignity and weight in the Republic, should be sent into *Africa* to decide the differences between the two Kings. At the head of these Commissioners was *Emilius Scaurus*, now Prince of the Senate. They set sail three days after their being named; and, landing at *Utica*, sent orders to *Jugurtha* to repair to them

them immediately, they having a message to him from the Senate. The King was much disconcerted to find that men of such high rank and distinction were come to oppose his designs. But though he feared the resentment of the Senate, should he disobey their orders, yet, urged by the eager desire he had to accomplish his grand design, he made a general assault, in hopes to carry the place at once, destroy his rival, and so leave nothing to be adjusted between them by the Commissioners. Failing in this attempt, and fearing to provoke *Scaurus*, whom he chiefly dreaded, by any further delay, he repaired to the Commissioners, attended by a few of his cavalry, leaving the greater part of his army to continue the siege. Many useless conferences were held; terrible menaces were founded by the commissioners in the name of the Senate for his not having raised the siege. The *Numidian* heard them with much respect, but a total disregard as to any change of his measures. He trusted doubtless to his money; and *Scaurus* and his colleagues were not ashamed to return to *Rome* without having obtained any thing in favour of *Adherbal*.

When the ill success of this commission was once known at *Cirta*, the *Italians*, by whose steady courage the town had been chiefly defended, and who hoped they should be spared out of respect to *Rome*, advised *Adherbal* to surrender himself and the city to *Jugurtha*, to covenant only for his life, and leave the rest to the Senate. The unhappy Prince, knowing that it was in their power to force him to a compliance, followed their advice.

advice. *Jugurtha*, admitted into the place, discharged his first fury upon *Adherbal*; whom he put to death by torture; and then massacred all whom he found in arms, whether *Numidians* or strangers.

Notwithstanding this new murder, with all its aggravating circumstances, *Jugurtha* did not want advocates, who, when the matter was brought before the Senate, endeavoured to extenuate the crime, and lessen the horror of it in the minds of those whom at first it had extremely shocked; and so assiduous were these pensioners of the King in his defence, that if *C. Memmius*, Tribune of the People elect, a man of spirit, and a declared enemy to the usurped power of the Nobles, had not fully apprized the Roman People, that a few leading men of a faction were bent upon screening *Jugurtha* from the punishment due to his crimes, the affair had been entirely dropt: such a mighty influence had the gold of *Jugurtha* upon the minds of the venerable Fathers.

See Vol.
VI.
Y.R. 630.

But when the Senate, conscious of their own guilt, began in earnest to fear the People's resentment, they (in conformity to the *Sempronian Law*) decreed that the provinces of the Consuls elect should be *Italy* and *Numidia*. *Numidia* fell to *L. Calpurnius Bestia*, *Italy* to *P. Scipio Nasica*. Soon after an army was enrolled for the expedition into *Africa*, and all the funds decreed for its support.

Jugurtha receiving advice, that, contrary to his expectation, the *Romans* were determined to commence a war against him, dispatched his son and

two of his most trusty friends to the Senate, with private orders (like those which he had formerly given to his Ambassadors on occasion of the murder of *Hiempsal*) to buy every man that was to be purchased. But when these drew near to *Rome*, *Bestia* moved to know the pleasure of the Senate, whether they should be admitted within the walls, or not. Whereupon it was decreed, that unless they were come to surrender both the King and his kingdom, they should leave *Italy* in ten days. The Consul signified to them this resolution, and they returned to *Numidia*.

Bestia, in the mean while, having compleated his troops, chose for his Lieutenants, men eminent by their quality, and no less distinguished for their skill in intrigues (among whom was *Scaurus* before-mentioned), under the shelter of whose authority he flattered himself he might, with impunity, do whatever his passions should dictate. The Consul was a brave man, patient of fatigues, a vigilant and able General; but these excellent qualities were rendered fruitless by a sordid avarice; so that, though, upon his first entering into *Numidia*, he acted with vigour, yet *Jugurtha* being informed of his ruling passion, very soon made court to it with success. *Scaurus* entered into the infamous traffic; and it was not the first time that he had been corrupted by *Jugurtha's* gold. The King, at first, had hoped no more than to purchase a suspension of the war, while he might carry on his intrigues at *Rome*; but when he learnt from his Agents that they had entirely gained *Scaurus*, he presently entertained the
flattering

flattering project of concluding a peace, in person, with these worthy Generals. But, before he repaired to the Consul, he took care to have an hostage for his security. *Sextus*, the Quæstor, was dispatched to *Vacca*, a town belonging to *Jugurtha*, under pretence of receiving a quantity of corn which *Calpurnius* had publicly ordered the King's Deputies to provide, there being now a truce in order to the King's surrendry in form.

When *Jugurtha* was come to the *Roman* camp, *Calpurnius*, to blind the public, assembled his council, where the King, after making a short apology for his conduct, offered to surrender himself and his kingdom to the Senate and People of *Rome*. The particular conditions were adjusted in private with *Calpurnius* and *Scaurus*; and, the next day, the King's surrendry was formally accepted by the Council, as if the terms had been regularly debated, and unanimously approved; and, in pursuance of an order of the Council, thirty elephants, some cattle, and a considerable number of horses, with a small sum of money, were delivered up to the Quæstor. The peace thus concluded, the Consul, leaving his army behind him, returned home, to preside in the *Comitia* for the election of Magistrates.

When the transactions in *Africa*, and the manner in which they had been carried on, were publicly known at *Rome*, they became the matter of common conversation in all companies, and were every where spoken of by the people with detestation. The Senate knew not what resolution

to take, whether to disavow or ratify the shameful treaty made by their Consul. What chiefly hindered them from breaking it, was the great influence of *Scaurus*, said to have been the adviser and associate of *Bestia* in the late transactions. The anger and indignation of the Tribune *Memmius*, before spoken of, brought them to a determination. Having called the People together, he upbraided them with their servile patience under oppression from the Nobles; with having infamously suffered their protectors and defenders to perish undefended and unrevenged; and with fearing, even now, those whom they ought to make tremble, and whom they saw lying at their mercy.

“ I mean not to excite you to arms in order to do
 “ yourselves justice, a method our forefathers had
 “ frequent recourse to; there is no need of vio-
 “ lence, none of *seceding*; the oppressors have
 “ taken infallible measures for their own destruc-
 “ tion. When they had cut off *T. Gracchus*,
 “ whom they charged with aiming at the sove-
 “ reignty, terrible were the prosecutions against
 “ the people of *Rome*. After they had slain *C.*
 “ *Gracchus* and *M. Fulvius*, they put great num-
 “ bers of the *Plebeians* to death in prison; nor
 “ were they induced to end those violent pro-
 “ ceedings, by any regard which they had to the
 “ Laws, but by their own caprice. Well; let the
 “ attempt to restore to the Commons their rights
 “ pass for a design to seize the Government; be
 “ it, that it was lawful, even by spilling the
 “ blood of Roman citizens, to revenge an offence
 “ which could not otherwise be revenged. Let
 “ us grant these things. But have you not seen
 “ with

" with indignation, though you winked at it, and
 " said nothing, the public treasury robbed, Kings
 " and Republics paying taxes to a few of the
 " Nobility, who engrossed to themselves all the
 " honours, and all the riches of the state? Nor
 " were they content to commit these iniquities
 " with impunity; but at length, our Laws, the
 " majesty of the Roman People, all things divine
 " and human, were betrayed by them to a foreign
 " enemy. Nor do the guilty feel any shame or
 " sorrow for what they have done; they stalk
 " magnificent before your eyes, boasting of their
 " sacerdotal and consular dignities, and some, of
 " their triumphs; as if they really prized these
 " things for the honour, not the lucre, which
 " they brought. Slaves, purchased with money,
 " obey not the unjust commands of their masters;
 " and will you, Romans, who are born to em-
 " pire, tamely endure to be enslaved? But who
 " are they that have thus possessed themselves of
 " the Commonwealth? The most flagitious of
 " men, with hands embrued in blood, insatiably
 " covetous, men of matchless wickedness, and
 " matchless arrogance, who make a traffic of
 " faith, honour, religion, disregarding all di-
 " stinction of right and wrong. Some have pro-
 " vided for their own safety by murdering your
 " Tribunes, others by unjust prosecutions, the
 " greater part by massacres of the Commons;
 " and thus the more loaded any man is with
 " crimes, the more secure he is from punishment.
 " Yet, instead of fearing you, after so many
 " crimes, they take advantage of your want of
 " spirit to make you fear them. As they have,
 " all,

" all, the same objects of hate, desire, and fear,
 " they are thence united. And this union among
 " good men is friendship; among bad men, faction.
 " — But will not you exert your endeavours to
 " throw off the yoke of these men, and to main-
 " tain that liberty which your forefathers pro-
 " cured to themselves by their virtue, and de-
 " livered down to you? You will ask me, per-
 " haps, what measures I would advise? My an-
 " swer is, I would have you prosecute the be-
 " trayers of the Republic; not in the way of
 " vengeful violence, not by acts of power, but
 " by the method of legal process, and by the
 " evidence of *Jugurtha*, who, if he has in good
 " earnest made a surrendry of himself and his
 " kingdom to the Roman People, will be obedient
 " to your orders. If he slight them, you may
 " thereby judge what sort of peace and surrendry
 " that is, by virtue of which *Jugurtha* reaps
 " impunity for his crimes, a few great men im-
 " mense riches, and the Republic nothing but
 " loss and disgrace. But perhaps you are not
 " yet weary of their domination, and, rather
 " than do as I advise, chuse to have kingdoms,
 " provinces, laws, rights, tribunals, war and peace,
 " in short, every thing divine and human, depend
 " on the will of a few men; while you, the Ro-
 " man People, victorious over all your enemies
 " abroad, and giving laws to other nations, are
 " content with barely living and breathing. For
 " who among you has had the resolution to re-
 " fuse the yoke of servitude? But, though I think
 " it very dishonourable to have suffered an injury
 VOL. VII. E " without

“ without revenging it, I could well enough bear
“ that you should pardon these guilty men, be-
“ cause they are your fellow-citizens, if it were
“ not that your mercy to them would be destruc-
“ tion to yourselves; for so obstinately bent are
“ they upon evil, that they would think it no-
“ thing to have escaped punishment for the mis-
“ chief they have done, unless they might thence
“ be authorized to continue their wicked courses;
“ and you will find yourselves under a necessity
“ of submitting to perpetual servitude, or of de-
“ fending your liberty by force of arms.—

“ I advise you therefore once more, and exhort
“ you, not to let so great iniquity escape unpun-
“ nished. The matter in question, at present, is,
“ not any embezzlement of the public money,
“ any oppression of our allies by extortion; those
“ crimes, though of a very heinous nature, are
“ grown so customary as to be overlooked. The
“ authority of the Senate, the empire of the
“ Roman People, the Commonwealth itself, has
“ been been set to sale both at home and abroad;
“ and unless strict enquiry be made into this mis-
“ conduct, and the guilty be punished, what re-
“ mains for us but to live in bondage under their
“ tyranny? For to do with impunity whatever a
“ man pleases, is to be a King.

“ After all, my intention, Romans, is not to
“ raise in your minds a wish that your fellow-citi-
“ zens may be found guilty rather than innocent,
“ but only to exhort you not to pardon the guilty
“ to the ruin of the innocent. Consider, that, in
“ the affair of government, it is not of so ill
“ consequence

“ consequence to forget a benefit done to the
 “ public, as to forget an injury. A good man,
 “ if he be neglected, will only be the less active
 “ in doing good; but a bad man more active in
 “ doing evil. Besides, if the State suffers no in-
 “ jury from bad men, it seldom wants any assist-
 “ ance from the good.”

Memmius, by frequently haranguing the People in this strain, persuaded them to send *L. Cassius* (at this time *Prætor*) into *Africa*, to bring *Jugurtha* thence to *Rome*, upon the public faith; that, by the evidence of the King himself, *Scaurus*, and the rest, who were accused of taking the King's money, might be convicted.

While these things were doing at *Rome*, those who were left by *Bestia* to command the army in *Numidia*, following the example of their General, became guilty of the most scandalous practices. Some, corrupted by *Jugurtha's* gold, restored to him his elephants; others sold him his deserters; others again plundered countries with which the *Romans* were not at war. To so excessive a degree had a spirit of covetousness prevailed, and, like a plague, infected them all!

Cassius had not much difficulty in persuading the King to make trial of the clemency of the Roman People, rather than of their power; and the *Prætor's* character of integrity was such, that, having privately engaged his own faith for *Jugurtha's* safe return, this Prince considered it as a security equal to that of the public faith.

The *Numidian*, when he came to *Rome* with *Cassius*, appeared not in the magnificence of a
 E 2 King,

King, but in the garb and with the behaviour of a person in distress. *Memmius* assembled the People. Their rage against *Jugurtha* was such, that some of them were for laying him in irons, others for putting him to death without delay, unless he discovered his associates in wickedness. Yet the Tribune, more studious to maintain the dignity of the Roman People, than to gratify their anger, declared, that, for himself, he would have no part in violating the public faith. After which, having ordered silence, and *Jugurtha* being brought forth, the Tribune rehearsed all his foul deeds in *Numidia*, and (by his agents) at *Rome*, giving him to understand, that, though the Roman People knew by whose advice and assistance he had perpetrated all his crimes against that Father who adopted him, and against the two sons of that Father, yet they were desirous to have a more distinct information from himself; which information, if he faithfully gave, he might hope much from the honour and clemency of the Roman People; but if he suppressed the truth, he would not thereby save his accomplices, but ruin himself and all his hopes. When *Memmius* had ended these words, and the Assembly were all attention to hear what the King would answer, *Bæbius*, another of the Tribunes, instantly called out, forbidding the King to speak. The multitude expressed their indignation by clamour, menacing looks and gestures, and, in short, all the ways by which violent anger is used to express itself, in order to deter him from his purpose. Nevertheless, as he had received an ample bribe, impudence

pudence carried it. The People, thus fooled, broke up the assembly, and separated. There was at this time at *Rome*, a certain *Numidian*, named *Massiva*, the son of *Gulussa*, and grandson of *Masinissa*, who, upon the surrendry of *Cirta*, and the murder of *Adberbal*, had fled from *Africa*, because he had been against *Jugurtha* in that quarrel. *Sp. Albinus*, who, with *Q. Minucius Rufus*, succeeded *Bestia* in the Consulship, and to whom the conduct of the war in *Numidia* had fallen by lot, perswaded *Massiva* to sue to the Senate for the kingdom of *Numidia*, since he was descended from *Masinissa*, and since *Jugurtha*, by his atrocious deeds, had made himself both feared and detested. *Massiva*, readily listening to the advice, made and pressed his suit to the Senate. *Jugurtha*, finding his friends begin to fail him, some of them being restrained by a consciousness of guilt, others by the ill repute they were already in, and the fear of encreasing their infamy, ordered *Bomilcar*, his most intimate and most trusty confident, to hire assassins to take off *Massiva*, secretly, if possible; if not, in any way that it could be done. The Confident quickly found persons qualified for such work: these informed themselves of all *Massiva's* daily motions and haunts; and, when the business could be no longer deferred, one of the ruffians, who had way-laid him, did it effectually, but with so little caution, that he was seized in the very fact; and being urged by many, and especially by the Consul *Albinus*, confessed who had employed him. *Bomilcar* was arraigned for the murder, but more agreeably to

Y. R. 643.
Bef. Chr.
109.
342d Conf.

Y. R. 643.
 Bef. Chr.
 109.
 342d Conf.

natural justice, than to the law of nations, he being one of *Jugurtha's* retinue, who had come to *Rome* upon the public faith. *Jugurtha*, though manifestly guilty of the murder, spared no pains to bear down the truth, till he perceived that the odium of the fact was not to be stifled by favour or money; and then, though he had engaged fifty of his friends to be sureties for *Bomilcar's* appearance, yet, being more concerned for the preservation of his kingdom than the safety of the sureties, and fearing lest the rest of his subjects would not dare to obey him, if *Bomilcar*, for his obedience, should be punished, he sent him off privately into *Numidia*. And, in a few days after, he himself departed, being ordered by the Senate to leave *Italy*. It is reported of him, that when he was got out of *Rome*, he frequently looked back upon the city without saying a word; but at length broke out — “O venal city, ripe for destruction, and ready to sell thyself, whenever there shall be found a purchaser!”

And now the Consul *Albinus*, with the utmost diligence, prepared all necessaries for the army, and soon appeared there himself, eagerly bent on putting a speedy issue to the war, either by treaty or victory, before the new elections, which were not far off, could give him a successor. On the other hand, *Jugurtha* endeavoured by all means to gain time. One while, he would promise to surrender himself; and, presently after, pretend distrust; now, he would retire before the *Romans*, and then, in his turn, press hard upon them, that he might not discourage his own men. The war being

being thus protracted till near the time for the election of Consuls, *Albinus* left his brother *Aulus*, in quality of Proprætor, to command the army, and returned to *Rome*, without having done any thing either in the way of arms, or by negotiation; which made many conjecture, that he had secret intelligence with the King; for they could not believe that, after such diligent preparations for war, it could be so easily protracted by indolence alone, without fraud.

The elections at *Rome* happened to be retarded by quarrels among the Tribunes; two of whom endeavoured to get themselves continued in their office for another year. *Aulus* imagined that these domestic broils would give him time to finish the war by a victory; or, at least, by the terror of his arms, to draw a good sum from *Jugurtha*. In the month of *January*, therefore, he drew his forces out of their winter-quarters, and, by long marches, in very bad weather, led them to a town called *Suthul*, where the King had deposited his treasures. It was surrounded with a strong wall, and stood on the top of a steep hill, and, at the foot of this hill, was a muddy marsh, formed by the winter floods, which made the place inaccessible; nevertheless, either really blinded by his avarice, or as a feint to terrify the King, he erected moveable galleries, threw up trenches, and made all the other preparations for a siege.

Jugurtha, perceiving the vanity and weakness of the man, artfully contrived to heighten his presumption, by sending to him frequent offers of submission, and by pretending great fear, that made

Y. R. 643.
Bef. Chr.
109.
342d Conf.

V. R. 643.
 Bel. Chr.
 109.
 342d Comf.

him keep with his army in places difficult of access. At length, by giving *Aulus* hopes of a good bargain, he drew him from *Suthul*, into a retired part of the country, whither the Roman followed him, as if he pursued a flying enemy, but, in reality, that their infamous traffic might be the better concealed. In the mean while, the King, by his emissaries, practised with some officers of the Roman army to desert to him, or abandon their posts upon a signal given. His negotiations succeeding to his wish, he, on a sudden, in the dead of night, surrounded the camp of *Aulus*. A cohort of *Ligurians*, and two troops of *Thracian* horse, went over to *Jugurtha*; and the first Centurion of the third Legion, abandoning that part of the rampart which he had been appointed to defend, gave the enemy entrance into the camp. Most of the *Romans* threw down their arms, and fled to a neighbouring hill, where, when *Jugurtha* had the next day invested them, he signified to *Aulus*, in a parley, that though, both by famine and the sword, he had him and his army at mercy, yet, sensible of the instability of human affairs, he was willing, in case *Aulus* would conclude a treaty of peace, to grant him and his soldiers life and liberty, on condition of their passing under the yoke (a gallows), and quitting *Numidia* in ten days. Hard and ignominious as these terms were, death, otherwise inevitable, terrified the *Romans* into a submission.

It may well be imagined, that the anger of the people of *Rome*, and especially of the braver sort, was raised to a high pitch against *Aulus*, on the first

first news of the late scandalous treaty. The Consul *Albinus*, fearing the odium which might be brought upon him, on account of his brother's ill behaviour, and fearing likewise the danger which might attend that odium, had recourse to the Senate for their judgment concerning the late treaty. The Fathers decreed, that no treaty could be binding which was made without the authority of the Senate and People of *Rome*. But though *Albinus* had raised recruits for the army, and got auxiliary forces from the allies, he was not suffered by the Tribunes of the Commons to carry with him those troops into *Africa*. However, he went thither himself. His army had, according to the late agreement, quitted *Numidia*, and were now in winter-quarters in the Roman province. After his arrival, he would gladly have gone in quest of *Jugurtha*, in order to lessen, by some exploit, the odium occasioned by his brother's ill conduct, yet, remembering the shameful flight of the soldiers, and the licentiousness they were fallen into through a total neglect of discipline, he thought it most adviseable to attempt nothing.

In the mean while, *C. Mamilius Limetanus*, one of the Tribunes, preferred a bill to the People at *Rome* for appointing Commissioners to make enquiry after those by whose encouragement *Jugurtha* had slighted the decrees of the Senate; those Ambassadors or Generals who had taken the King's money; those who had delivered him up his elephants and deserters; and those who had made any conventions with him relating to peace or war; and to draw up informations against the offenders,

Y. R. 643.
Bef. Chr.
109.
342d Conf.

Y. R. 643.
Bef. Chr.
109.
342d Conf.

offenders, in order to their trial. The guilty, though they durst not openly oppose this bill, used all clandestine means possible, by the agency of their friends, and especially those among the *Latin* and other *Italian* allies, to defeat the measure. But all their intrigues were ineffectual, the People being incredibly zealous on this occasion, more from hatred to the Nobles, against whom the bill was levelled, than from any concern for the Common-Weal. So violent was party-rage at that time! Now, while the rest of the Nobility were struck with fear, *M. Scaurus*, who had been Lieutenant to *Besfia*, as was abovementioned, found means, in the hurry and confusion the city was in, by the stormy exultations of the Commonalty, and the flight of the *Patricians*, to get himself appointed one of the three Inquisitors, who, by the *Mamilian Law*, were to take cognisance of the matters in question. But though he had such an amazing influence as to be chosen one of the *Triumvirs*, it seems that he had not sufficient to screen his associates in iniquity. It is remarkable that *Sallust* does not mention the persons who were arraigned and condemned on this occasion; but says, that the prosecutions were carried on with great severity and violence, according to the then prevailing caprice of the Commons, who now grew insolent upon victory, as the Nobles had often done before.

On this occasion *Sallust* falls into a digression concerning the rise [that is, the revival] of the opposite factions at *Rome*. His words are observable, and are to this effect:

“ The

“ The distinction of the People and Senate into
“ opposite factions, with all the evils that followed
“ it, arose at *Rome*, not many years before; and was
“ the effect of profound repose, and a full enjoy-
“ ment of those things which are in the highest
“ estimation among men. For, before the destruc-
“ tion of *Carthage*, the People and Senate pro-
“ ceeded with much temper and concord in the
“ administration of the State: neither was there
“ any contention among the citizens for superiority
“ and pre-eminence. The fear of their foreign
“ enemies preserved good order in the whole com-
“ munity: but, as soon as they were rid of that
“ fear, then instantly rushed in ambition and de-
“ bauchery, excesses which prosperity delights in.
“ Inasmuch that the peace and repose which they
“ had so passionately wished for in times of war
“ and public danger, proved, now they had ob-
“ tained it, more destructive and calamitous than
“ either; for now the Nobility began to turn their
“ dignity into tyranny, the People their liberty in-
“ to licentiousness: and each individual, consider-
“ ing only himself, studied nothing but to gain
“ wealth by every means possible.

“ Thus, whilst the two parties were quarreling
“ and fighting for power, the Commonwealth,
“ which lay between them, was miserably rent in
“ pieces. It must be owned, that, in the efforts of
“ faction, the Nobility proved the more prevalent:
“ the authority of the populace, as it is loose and
“ diffused, was found to be of inferior force in
“ the hands of a multitude: so that war abroad,
“ and all affairs at home, were wholly managed by
“ a few

Y.R. 543.

Bef. Chr.

109.

342d Conf.

“ a few men: in their disposal lay the treasury,
 “ the provinces, the several magistracies, public
 “ dignities and triumphs. The Commonalty were
 “ oppressed by poverty, and by serving in the ar-
 “ mies, while the spoils of victory were engrossed
 “ by the Generals, and a few Grantees. Nay the
 “ parents and children of those very soldiers were,
 “ at the same time, driven out of their rightful
 “ settlements, if they chanced but to border upon
 “ a great man’s estate. In this manner did avarice,
 “ supported by power, insolently, and unmeasur-
 “ ably, invade, violate, and lay waste all things :
 “ utterly regardless of justice, and even of com-
 “ mon prudence, till, with a blind precipitation,
 “ it ran furious to its own perdition. For from the
 “ moment that, amongst the Nobility, there arose
 “ such as preferred genuine glory to usurped
 “ power, the State was in an uproar, and such ci-
 “ vil feuds ensued, as if the universe had been
 “ tumbling into a chaos.

“ For after *T. Gracchus* and his brother *Caius*,
 “ men whose ancestors had, in the Punic and other
 “ wars, done signal service to the State, began to as-
 “ sert the liberties of the Commons, and expose the
 “ wickedness of the Oligarchy, the Nobles, con-
 “ scious of their own guilt, and thence sorely dis-
 “ mayed, had recourse, sometimes to the aid of our
 “ *Italian* allies, and to such as enjoyed the rights of
 “ *Latium*; sometimes to the Roman Knights, whom
 “ the hopes of a confederacy in power with the
 “ *Patricians* had detached from the interest of the
 “ Commons; and, thus assisted, set themselves for-
 “ cibly to defeat the pursuits of the *Gracchi*.

"First, they assassinated *Tiberius*, while a Tribune
 "of the People: a few years after, *Caius*, while a
 "Triumvir for planting new colonies; and, with
 "him, his colleague *Marcus Fulvius Flaccus*. And
 "in truth the *Gracchi*, from an eager desire of car-
 "rying their point, in some instances shewed a
 "want of temper. But a good man would chuse
 "rather to suffer an injustice, than, by unjust mea-
 "sures, to ward against it. The victory which [by
 "the worst of means] the Nobles obtained against
 "the *Gracchi*, they made a most insolent use of,
 "dooming numbers of citizens to death, or to ba-
 "nishment; measures which rather weakened than
 "strengthened the foundation of their own pow-
 "er. For it has proved the ruin of many great
 "States, that the contending parties therein have
 "been bent upon gaining victory at any rate,
 "that they might wreak their vengeance on the
 "vanquished."

It is said that the Triumvirs proceeded with
 great severity, which, if we consider that *Scaurus*
 was one of them, is as strange and unaccount-
 able as that he should have been chosen to that
 office. *L. Opimius*, *Sp. Albinus*, *Calpurnius Bestia*,
 and *C. Cato*, all men of consular dignity, were con-
 demned; as also *Sulp. Galba*, one of the pontifical
 college, the first Priest, according to *Cicero*, who
 was condemned by a public sentence. As for
Opimius, the memory of his cruelties, in the affair
 of *C. Gracchus*, was so fresh that the People had
 no compassion for him; and he was obliged, says
Plutarch, to pass his old age in the dishonour and
 shame, which he had brought upon himself by
 his

Y. R. 643.
 Bef. Chr.
 109.
 342d Conf.

Cic. in
 Brut. c. 33,
 34.

Y. R. 643.
Bef. Chr.
109.
342d Conf.

his avarice and corruption. Yet *Cicero* laments the fate of this *Opimius*, calls him *Præstantissimus*; and says he was the only Roman that, having deserved well of the Republic, was ever condemned by the People; and complains, that he, who had left so illustrious a monument in the Forum, should have his own monument, his sepulchre, totally neglected on the shore of *Dyrrachium*. By the monument, which *Opimius* left in the Forum, the Orator doubtless means the Temple which *Opimius* erected to Concord, in memory of his having humbled and quieted the People by a massacre of three thousand of the citizens. The same writer calls the Judges who condemned *Opimius* and his associates, *Gracchani Judices*; by which it would seem he means the Roman Knights, to whom, by a law of *C. Gracchus*, the right of judging had been transferred. Yet, as the Judges, whoever they were, must have formed their sentence by the report of the Commissioners, of whom *Scaurus*, Prince of the Senate, was the chief, a man whom *Cicero* calls *the Guardian of the Republic*, declaring that he not only admired him, but loved him; it is very strange that the report should be so little in favour of a person who had deserved so well of the Republic as the orator would have us think *Opimius* had done.

Y. R. 644.
Bef. Chr.
108.
343d Conf.

Q. Cæcilius Metellus, the son of *Calvus*, and nephew of *Macedonicus*, was now raised to the Consulship with *M. Junius Silanus*. The province of *Numidia* fell by lot to *Metellus*, who having no confidence in the old army, made new levies with great

Chap. ii. *The Roman History.*

63

Y. R. 644.
Bef. Chr.
108.
343 Conf.

great diligence, and got together vast quantities of provisions, arms, and all things necessary for a difficult war. Though *Metellus*, says *Sallust*, was of a contrary party to the People, yet on account of his good qualities, and especially because he was proof against corruption [by money], a necessary virtue at this juncture, they conceived great hopes of his success. The Consul chose *C. Marius* and *P. Rutilius* for his Lieutenants. At his arrival in *Numidia* he found the troops so extremely dissolute, so unfit for action, or for enduring fatigue, that, though he knew the Roman People impatiently expected an end of the war, he would not venture to lead the army against the enemy, till he had restored the antient discipline. Even the common soldiers were grown too indolent to make their own bread, or dress their own victuals; they sold their allowance of corn, and bought bread, and victuals ready dressed; and they kept servants, and beasts of burden, to fetch wood, and do all other drudgery, which they should have done themselves. *Metellus* set himself to rectify these disorders; and, while he was thus employed, *Jugurtha*, who had intelligence of his proceedings, and knew he was not to be bribed, began now to be really afraid, and to think seriously of surrendering himself. To this end, he sent Ambassadors to the Roman General, with humble assurances that, if he might have his own life and the lives of his children granted, he was ready to yield every thing else to the pleasure of the Roman People. But *Metellus*, considering the *Numidians* as a faithless People, fickle, and fond of change,

instead

V.R. 644.
 Bef. Chr.
 108.
 343 Conf.

instead of hearkening in earnest to the embassy, secretly tampered with the Ambassadors, each of them separately; and, finding them fit for his purpose, engaged them by large promises, to deliver up to him *Jugurtha*, alive, if possible, and, if that could not be done, his dead body. In public, the Consul gave such an answer to the Ambassadors as the King had wished. Not many days after this, *Metellus* marched his forces into *Numidia*, where he found not any thing like a face of war. The country houses were full of inhabitants, the fields covered with cattle, and the husbandmen at work in their farms, as in a time of profound peace. From the towns the King's officers came out, and met the Consul, offering to furnish him with provisions, and with carriages; and, in a word, to obey all his commands. Nevertheless he marched on with the same caution as if the enemy had been near at hand, causing the country on all sides to be viewed a great way round, because he suspected those tokens of submission to be mere feints, and to be employed to cover some insidious purpose. For *Jugurtha* was so full of guile, and so expert a General, that it was difficult to determine whether he were more to be feared, absent or present, in peace or in war.

Not far from the route that *Metellus* kept, there was a *Numidian* city called *Vatca*, the most flourishing mart in the whole kingdom, and in which were settled many *Italian* merchants. Here the Consul placed a garrison, both for the sake of trying whether this would be quietly born, and for the conveniency of the army, which, by the means

means of so many traders, might be amply supplied with every thing necessary.

Y. R. 644.
B. f. Chr.
108.
343 Conf.

In the mean while *Jugurtha*, by repeated Ambassies, implored peace; offering to surrender every thing to *Metellus* without any condition but his own life, and the lives of his children. The Consul bribed the last Ambassadors, as he had done the former, to deliver up their master to him; and then dismissed them, without either refusing or promising the King the peace he desired, expecting every hour the execution of the promises of those he had corrupted.

When *Jugurtha* compared the words of *Metellus* with his actions, and perceived that arts and devices, like his own, were employed against him; that he had only words of peace from the Consul, and war in fact; that he had lost his principal city; that the enemy became acquainted with his country, and that his people were excited to revolt; he resolved, being thus constrained by necessity, to try the fortune of arms. With this view, having learnt the route taken by the *Romans*, and gathering hopes of victory from the advantages of a certain spot where he could post himself, he raised as great a force as he could, and, by private ways, got before the army of *Metellus*.

At a few ^a miles distance from the river *Muthul*, which ran from the South, there stood, pa-

^a The usual reading is *twenty* miles. But this seems to be a mistake of the Transcribers. For it is evident, from the context, that the mountain was not far from the river, probably

Y. R. 644.
 Bef. Chr.
 108.
 334 Conf.

parallel to the river, a waste uncultivated mountain. Over this mountain the Consul must needs pass in pursuing his march. In the mid-way between the mountain and the river rose a high hill, covered with wild olives, myrtles, and such trees as delight in a dry sandy soil; the plain around it being barren and desert, except those parts that were nearest the river. Along this hill *Jugurtha* posted himself with all his cavalry, and a body of chosen infantry; the whole extended in a long line, not deep in file. He gave the command of his elephants, and part of the foot, to *Bomilcar*, posting him in that part of the line which was next the river.

After this disposition, he passed through the several divisions of his troops, urging them to call to mind their former bravery and success, and to defend themselves, and his dominions, from *Roman* covetousness; told them, that they were go-

not above *three* miles, at most. Mr. Gordon, and other Translators of *Sallust*, by not sufficiently attending to the story, have bestowed admirable senses on the *Romans*: For, according to them, *Metellus descries* [without the help of glasses] the *Nu- midians* in ambush at *ten miles* distance, and, at the same distance, his Lieutenant *Rutilius* hears the shouts of the two armies when engaged in fight. That the Copyist made a mistake in the number of miles, one of the Annotators (in the *Var.* Edit.) thinks to be certain, for this reason: That it was impossible for *Rutilius* to do in one day what he is said to have done, if the mountain had been twenty miles from the river.—

Nec enim fieri potuit, ut *Rutilius* ab hoc monte præmissus a *Metello* ad flumen, uno eodemque die eo pervenerit, castra munierit, et——rursus redierit ad *Metellum*, si tantum spatii interfuisset. *URSIN.*

ing

Y.R. 644.
Bef. Chr.
108.
343d Conf.

ing to engage with those whom they had before vanquished, and constrained to pass under the yoke, cowards, who had only changed their General, not their hearts. He added, that he had taken all the precautions of a provident General to secure to them the victory; that they had the advantage of the ground, surpassed the enemy in number, and were better soldiers. While the King was thus encouraging his men, and instructing them to keep themselves ready to fall on, *Metellus*, who as yet knew nothing of the enemy, was coming with his legions down the mountain. When he first descried *Jugurtha's* army in ambush, he knew not what to make of the unusual appearance; for the objects were not distinct, yet the trees and bushes did not sufficiently conceal the *Numidians* and their horses. It was not long before he discovered the King's stratagem; whereupon he made a halt, and changed the disposition of his troops, strengthening that side which was next the enemy, and then marched down into the plain. Perceiving that the *Numidians* did not stir from their post, and fearing lest his army should be distressed by thirst, in a parched and barren soil, he sent forward *Rutilius*, one of his Lieutenants, with some light cohorts, and a part of the cavalry, to mark out a camp near the river; for he imagined that the *Numidians* would retard his march by frequent attacks, and, since they durst not venture a pitched battle, attempt to weary out his men with labour and thirst. He then moved on slowly. *Jugurtha* no sooner perceived that the rear of the *Romans* had passed his

Y. R. 644.
 Bef. Chr.
 108.
 343d Conf.

front, than he detached two thousand foot to possess themselves of that part of the mountain by which the Roman army had descended, that it might not serve for a place of retreat to them, in case they were routed. This done, he sounded a charge, and, attacking them in the rear, and on both flanks, at the same instant, threw them into some disorder. The efforts of those who made the stoutest opposition were eluded by the manner in which the *Numidians* fought, by whose missile weapons they were wounded, while unable to bring them to a close engagement. For *Jugurtha's* cavalry, whenever they were pressed, did not retire in a body, or to any one place, but dispersed themselves as widely as possible; and, if the *Romans* did the like, in order to pursue them, the *Numidians* turned short upon the pursuers, and, being the more numerous, were sure to have the advantage. And when, to shun the vengeful fury of their enemies, the hill seemed to offer them a more secure retreat than the plain, their horses could easily make their way through the thickets, while the horses of the *Romans*, not being used to that work, were not able to follow them.

Jugurtha and *Metellus* shewed themselves, on this occasion, to be able Generals, and the victory was long contested between them. *Metellus's* soldiers were better than those of the King, but the King had the advantage in numbers, and in situation. The *Romans*, being aware that they had no retreat, and that they could not bring the enemy to a close engagement, found it necessary, especially

ally as the night was coming on, to force them, if possible, in their post on the hill. Exerting their utmost strength and bravery in this attempt, they succeeded; yet few of the *Numidians* were slain, which was owing to their swiftness, and the *Romans* being unacquainted with the country.

During this conflict, *Bomilcar*, to whom (as was before observed) the King had given the command of the elephants, and a part of the infantry, had, at a distance, followed *Rutilius*, whom the Consul had sent before to mark out a camp near the river: and, when the *Numidian*, having learnt, by his scouts, that *Rutilius* was encamped, heard the shouts of the two armies that were engaged, imagining that perhaps *Rutilius* would return to the assistance of his General, he extended his troops in such a manner as he thought was necessary to intercept him, and, in that disposition, advanced towards the Roman camp. The *Romans*, though surprised at his sudden appearance, drew themselves up in order so expeditiously as to be ready to receive the charge, which they did with great resolution. The battle did not last longer than while the *Numidians* had hope in their elephants; and finding these beasts, by reason of the trees and bushes that hampered them, become wholly unserviceable, they threw down their arms and fled, escaping by favour of the night. Four of the elephants were taken; the rest, forty in number, were killed. After this victory, the victors, uneasy because *Metellus* had stayed longer than they expected, advanced, in good order, to seek him. He, in the mean time, was marching to-

Y. R. 644.
Bef. Chr.
108.
343^d Conf.

Y. R. 644.
 Bef. Chr.
 108.
 343d Conf.

wards the river, and, it being dark, the two parties, on their approach, mistook each other for the enemy. A battle would have ensued, if some horsemen, detached to get intelligence, had not discovered the truth.

Metellus continued four days in the same camp, and thence sent out spies to learn what was become of *Jugurtha*, how he was employed, whether he was still master of an army, and how he bore his defeat.

The King had retired into places difficult of access, and was there collecting a more numerous army than he had before; but chiefly of husbandmen and peasants; for after a defeat none of the *Numidians* follow the King except his horse guards, but each man retires whither his inclinations lead him; nor does this bring any stain upon their honour, it being the custom of the nation.

Metellus perceiving, by this account, that the King's spirit was not yet broken by his defeats, and considering that it was impossible to force him to fight but upon his own terms, and that the *Romans* lost more men by a victory, than the *Numidians* by being vanquished, resolved to change his manner of carrying on the war. He led his forces into the most fertile parts of the country, laid waste the lands, burnt many small towns and castles, put all the youth able to bear arms to the sword, and gave up every thing else as a prey to his soldiers. This proceeding spread such an universal terror, that great numbers of the inhabitants submitted to the *Romans*, gave hostages, and supplied

the

the army with corn and other necessaries in abundance. Garrisons also were readily received wherever *Metellus* thought fit to place them. By these measures *Jugurtha* found himself more distressed than by the defeat he had lately suffered, being now obliged to pursue an enemy, on the avoiding of whom he had once built his whole hope of safety. However, he did not pursue with his whole force, because he would not, on any terms, hazard a general engagement; but, causing the main strength of his army to keep together in a proper situation, he, by private roads, and in the night, attended the motions of *Metellus* with a chosen body of horse, and, falling suddenly on some parties of Roman soldiers that had roamed from the army, and were strolling about the country, slew a great number of them, and took many prisoners; nor did a single man escape unhurt. After which, he, according to the *African* method of making war, again disappeared *.

In the mean time, the news of the Consul's progress had caused a mighty joy at *Rome*; *Metellus* was the great subject of popular applause. "He
" had conducted himself and his army after the
" old Roman manner: by resolute bravery he
" had gained a victory over enemies who had the
" advantage of the ground; he had possessed him-
" self of their country; and had driven *Jugurtha*

* This year *M. Aemilius Scaurus* and *Lucius Drusus* were Censors. *Lucius* dying, the law required that *Scaurus* should abdicate; yet he refused to do it, till some of the Tribunes of the Commons threatened to put him in prison, if he did not obey. *Plut. in Quæst. Rom.* p. 276.

Y. R. 644.
Bef. Chr.
108.
343d Conf.

Y. R. 644.
Bef. Chr.

107.
343d Conf.

Y. R. 645.
Bef. Chr.

107.
344 Conf.

" (elated by the base and dastardly behaviour of
" *Aulus*) to seek a refuge in wilds and deserts."

For all these favours of heaven, the Senate decreed thanksgivings to the immortal gods; and, when the consular fasces were transferred to *Serv. Sulpitius Galba* and *M. Aurelius Scaurus*, for the new year, the Senate continued *Metellus* in his command of the army, with the title of Proconsul. The honours done to the merit of this General made him more eager than ever to compleat his glory by a final victory: yet all his marches and motions were with the utmost caution. That he might spread more widely the terror of the Roman arms, he divided the troops between himself and *Marius*; the two leaders marching and encamping separately, yet not at too great a distance to be able to succour each other on occasion.

Jugurtha, by sudden irruptions and frequent attacks, kept the Roman legions in continual alarm, and yet found means to avoid a battle: which *Metellus* having, for some time, experienced, he resolved to lay siege to *Zama*, a considerable town, and of great strength, in hopes that the King would lead his army thither to relieve it. The King, receiving early notice of the Proconsul's design, got to *Zama* before him, and strengthened the garrison with a body of deserters, promising the inhabitants at the same time that he would hasten to their succour. And, accordingly, while *Metellus* was busy in an assault upon the town, and the soldiers, whom he had appointed to guard his camp, were negligently beholding the action, the *Numidian* appeared on a sudden, and forced his

way into the camp by one of the gates. The Consul, upon notice, dispatched all the Roman cavalry, and, soon after, *Marius* with the infantry of the allies, to repel the enemy; and the King did not long abide the charge, but retired to a place of security. Next day *Metellus* having posted all his horse on that side of his camp which *Jugurtha* had assaulted, renewed his attacks on *Zama*. The *Numidian* appeared again, fell suddenly upon the Roman cavalry, and put the foremost ranks into disorder. As he had mixed some foot with his horse, his troops stood firmly to the charge, and the engagement was long and obstinate. *Metellus* finding, after some time, that he could neither take the town, nor force *Jugurtha* to a pitched battle, thought proper to raise the siege; and, the season being far advanced, he retired into that part of the Roman province which lay nearest to *Numidia*, and there passed the winter. But he did not spend it in idleness; for since the way of arms had not succeeded to his mind, he applied himself to destroy the King by the treachery of his own friends. To this end, having contrived to draw *Bomilcar* (*Jugurtha's* chief favourite before spoken of) to a private conference, he solemnly promised him that the Senate should grant him pardon, and the possession of all his effects, if he would deliver up the King either alive or dead. It is said that *Bomilcar* was easily prevailed upon; because he feared, lest, if a peace with *Rome* were concluded, he should be given up to punishment for the murder of *Massiva*. Yet it would seem that

Y. R. 645.
Bef. Chr.
107.
344 Cons.

Y. R. 645.
 Bef. Chr.
 107.
 344 Conf.

that he made some scruple to assassinate his master; for, at this time, he only endeavoured to persuade him to a voluntary surrendry, exhorting him to take pity upon himself, his children, and his subjects, and to consider that he had sufficiently tried his fortune; that his kingdom was now much weakened; that the *Numidians* had long suffered all the calamities of war, and might consult their own safety, if he neglected it. At last *Jugurtha* consented to send Ambassadors to the Proconsul, with an offer to submit to whatever conditions of peace he should think fit to prescribe him. *Metellus*, by the advice of his council, first ordered him to pay 200,000 pounds weight of silver, to deliver up all his elephants, and a certain quantity of arms and horses; all which he executed punctually. The Proconsul then demanded that he should yield up the deserters^a. *Jugurtha* obeyed in this also, and gave up the much greater part of them; some few, in the beginning of the negotiation, had escaped to *Bocchus* King of *Mauritania*. But when, lastly, the *Numidian* was ordered to repair to *Tifidium*, there to receive further directions, he began to hesitate. Conscious of his crimes, and fearing lest their due punishment was approaching, he spent several days without having power to come to any

^a According to a fragment of *Appian*, these deserters were *Thracians* and *Ligurians*. The same author adds, that *Metellus* caused the hands of some of them to be cut off; and that, by his orders, the rest were fixed in the ground, up to the middle, then wounded and tormented by the soldiers with darts and arrows, and then burnt, while they were yet alive. *App. in Fragm.* lib. viii.

resolution.

resolution. At length, the terrible apprehension of being precipitated from the height of Royalty, to the low condition of a Slave, determined him to try once more the chance of war.

V. R. 645.
Bef. Chr.
197.
344 Cons.

SALLUST reports, that, about this time, CAIUS MARIUS, being in winter-quarters at *Utica*, and having offered certain sacrifices to the Gods, was told by a Diviner [an *Haruspex*], *that great and wonderful favours to him were prognosticated in the entrails of the victims; and he might, therefore, boldly pursue whatever designs he had formed, secure of success by the protection and assistance of the heavenly powers.* The historian adds, that MARIUS had, before this, been seized with an ardent desire of the Consulship^b, and that, excepting a noble birth, he had, in truth, every qualification requisite for rising to that high station: *industry, probity, great military skill; in the field, the high and daring spirit of a warrior; in the city, moderation, the disposition and deportment proper to civil life. Superior and insensible to all the allurements of riches and sensuality, he thirsted after glory alone. And so well had he behaved himself in the several offices through which he had passed, as to be always thought, by those who remarked his conduct, to deserve a higher station than what he actually filled.* Yet, as worthy a man as MARIUS was TILL THIS TIME^c (for Ambition hurried him,

^b It was seven years since he had been Prætor; whereas the law required but three years interval between the Prætorship and the Consulate. *Cic. de Offic. l. iii. c. 20.*

^c Tamen is ad id locorum talis Vir (*nam postea ambitione præceps datus est, &c.*) I shall here take the liberty to offer to the Reader's consideration the following *Question*, which the pre- afterwards,

Y. R. 645.
Bef. Chr.

107.

344 Conf.

afterwards, into strange excesses), he had not hitherto ventured to stand for the Consulship;

sent case suggests, *Whether the practice, which some historians, of great name, have fallen into, of prefacing their account of a man's actions with giving his CHARACTER, either as drawn by former writers, or as it resulted to themselves, from a survey of all they knew of his conduct, be not an unfair practice? Unfair, sometimes, with regard to the person, whose actions they are going to relate; always unfair with regard to the reader: Because such paintings will naturally prevent his making a free use of his own judgment, and may oftentimes mislead him? It is a trite observation, that, in point of moral behaviour, no man is more unlike to another, than one and the same man has been to himself, in different periods of his life: And yet, if, before we read the history of a warrior or a statesman, we are impressed with a very disadvantageous opinion of the turn and disposition of his heart, we shall be apt, without any other reason, to impute to unworthy motives all his public actions, in every stage of his life; in which censure it is ten to one that we err widely.*

And so likewise, if the character be greatly to the advantage of the person characterised, this will incline us to overlook, or to construe favourably, or, at least, to seek some covering to palliate, his very worst actions, actions of baseness the most shameful and inexcusable.

Of each of these consequences of *Character-drawing*, I shall give an instance.

PLUTARCH, by introducing his account of MARIUS's life and actions, with a very odious *Character* of him, (such as he, indeed, deserved in his last years) has misled (as I conceive) certain * modern writers of *Roman history*, to apply that character to the whole conduct of MARIUS from his very first entrance into the world at 17 years of age.

Il ne connut JAMAIS (says the ingenious † Continuator of Mr. Rollin's Roman history) les loix de la droiture, de la franchise, de la reconnaissance, dès que sa fortune, ou l'exécution de ses projets s'y trouva intéressée. C'est une homme qui n'eut qu'une passion, l'envie de s'aggrandir, mais qui ne se fit JAMAIS un scrupule d'y tout sacrifier. CE FUT CETTE AMBITION QUI LE TIRA

the

* See Hist. Rom. by the Jesuits Catrou and Rouillé, Tom. xiv. † M. Crevier, Tom. ix. p. 277.

the Nobility having, for a long time, appropriated the office to themselves, just as if, by

Y. R. 645.
Bef. Chr.
107.
344 Conf.

DE LA CHARRUE pour lui faire prendre la profession des armes, par laquelle il espera pouvoir s'élever. Il fit ses premières campagnes au siège de Numance sous Scipion l'Africain, &c.

The Continuator has this from the Greek Biographer, whose testimony concerning MARIUS, when Tribune of the Commons, he likewise adopts, a few pages after. MARIUS—SE FIT ÉGALEMENT ESTIMER DES DEUX PARTIES, COMME NE CHERCHANT A PLAIRE NI AUX UNS, NI AUX AUTRES, MAIS ENVISEAGEANT UNIQUEMENT LE BIEN PUBLIC.

† Vid.
supr. p.
17. Note.
a. Dacier's
Plat. Tom.
x. p. 281.
Vid. supr.
p. 11.

These two passages must surely appear not to be very consistent; but this, I think, they will serve to evince, That an Historian, by *Character-drawing*, at the entrance of his work, may, sometimes, bring even himself into inconveniencies.

Plutarch, indeed, seems not to have been disposed to do justice to the character of MARIUS. Perhaps, the rough soldier's total neglect of *Greek* literature, and his declared contempt of the *Greek* language, may have biased the mind and pen of the *Greek* philosopher and historian more strongly than he himself was aware of.

"If he could have been persuaded," says *Plutarch* (in the introduction to his life of MARIUS) "to pay his devotions to the *Grecian Muses and Graces*, he would not, after bearing so many honourable offices, and performing so many glorious exploits, have given the reins to implacable anger, ill-timed ambition, and insatiable avarice; passions which carried him to the commission of such horrible injustices and cruelties, as rendered him, in his old age, both infamous and miserable."

[By the way; we are not bound to reckon this among the most judicious of *Plutarch's* reflections, seeing, by his own account, SYLLA, who did sacrifice to the *Muses and Graces*, had more vices than MARIUS, and surpassed him in cruelty].

Our biographer intimates to us, that Metellus laid the foundation of MARIUS's fortune, by appointing him to be one of his Lieutenants, and that MARIUS behaved himself *ungratefully* towards his General, from the very day they landed in *Africa*.

Law,

Y. R. 645.
Bef. Chr.
107.
344 Conf.

Law, they had an exclusive right to it; handing it from one to another, and looking upon

Now, in the first place, how can this *Lieutenancy* be said, with any propriety, to be *the foundation of MARIUS's fortune*, who had, already been raised to the *Tribuneship of the Commons*, and, after that, to the *Prætorship*, and was, at this time, esteemed the best Soldier in the Commonwealth?

And, in the next place, though we find, that *MARIUS's Lieutenancy* proved an immediate step to the *Consulship*, Does it any where appear, that this was the intention of *METELLUS*? Did he mean so great a benefit to *MARIUS*? No, the contrary is evident: So that no gratitude was due from *MARIUS* to *METELLUS*, as to a person, to whom he owed either the foundation of his fortune, or the means of rising to the *Consulship*.

"*MARIUS*," says *Plutarch*, "did not consider himself as obliged to the Consul for the honourable post of Lieutenant, but to *Fortune* only, who was now pleased to favour him with a fine opportunity of displaying his abilities, and, thereby, rising to the highest dignities in the State. *He disdained to do any thing for the glory of his GENERAL*: but, in all his actions, had a view to his own glory, and to that alone. In this view, he, on every occasion, gave signal proofs of his courage; and, as he never declined any great and important enterprise, through fear of the difficulties and dangers which attended it; so he never, through pride, disdained to charge himself with the execution of the most inconsiderable. Surpassing all the other officers in foresight and military skill, he vied with the common soldiers in temperance and in patient enduring of hardships and fatigue; chusing to eat and lodge no better than they; and, whenever a camp was to be fortified, mixing among them, and putting his hand to the work: by which means he not only gained their affections, but made them content and chearful in the performance of duty. For the Roman soldiers were much better pleased, when a commander condescended to share their labours, than when he indulged them in sloth and idleness."

How to reconcile this conduct of *MARIUS* with his *disdaining to do any thing for the promotion of METELLUS's glory*, seems every

every *New Man*, how distinguished soever by his merit, as a *prophane* person, unqualified for ad-

Y. R. 645.
Bef. Chr.
107.
344 Conf.

to be somewhat difficult : Because certain it is, that, by whatever *passions* MARIUS might be secretly animated, he well knew, that he could do no exploit under the direction and auspices of his General, but what would redound to the credit of his GENERAL : and it is not to be doubted, that METELLUS's *principal* view, when he chose MARIUS for his Lieutenant, was the advancement of his own honour, to which he thought the exemplary behaviour of MARIUS, and his distinguished talents for military affairs, would be greatly instrumental ; and, in this, he was not disappointed.

Nor is there any shadow of proof, that MARIUS, *from the time of his landing in Africa, had malevolent * dispositions towards his General*. If he had such dispositions, he kept them concealed from METELLUS ; or, if not, SALLUST was perfectly ignorant of this particular, when he wrote the *Jugurthine War* : for this Historian, having related how *Jugurtha* surprised the Roman camp, and forced his way into it, whilst METELLUS was employed in the attack of *Zama* (the siege of which place he did not undertake 'till the *second* year of his command, and towards the end of the campaign) tells us, that the *Proconsul*, when he detached MARIUS, with the auxiliaries, to recover the camp (from which the guard in their consternation had fled) " conjured him, with tears in his eyes, by their FRIENDSHIP, and by his regard for his country, not to suffer a spot on the honour of her victorious army to remain, nor the enemy to escape with impunity." [" *Eumque, lacrumans, per AMICITIAM, perque Rempublicam, obsecrat, ne quam contumeliam remanere in exercitu victore, neve hostes inultos abire sinat.*"]

* See Ca-
trou, tom.
xiv. p. 59-

It does not appear, that MARIUS, when Lieutenant to METELLUS, acted otherwise than as a brave and able officer, zealous for the service of his Country, and the honour of his General ; nor that he had a more inordinate ambition, than even the most HONEST of the *Nobles*, his cotemporaries. He was now 48 years old, had maintained a conduct hitherto unexceptionable, and, having been *Prætor* seven years before, had a legal right to stand for the *Consulship*. SALLUST, in his account of MARIUS, has marked the *first steps* by which this fa-

mission

Y. R. 645.
Bef. Chr.
107.
344 Conf.

mission to that *sacred* honour. But now, the prevailing passion of MARIUS being soothed and

mous Roman deviated from the path of virtue into that of the most enormous wickedness; and has plainly told us the temptation, the provocation, by which he was seduced.

It was METELLUS's contemptuous treatment of him, that kindled those passions of resentment and revenge, with which he afterwards flamed. A brave man, and of superior lustre in that branch of merit which was most esteemed at Rome, is it any wonder that he did not easily brook the haughty injustice of a Grandee, to whose successes in war, during two years, he had remarkably contributed, and who, yet, despised, and insulted him, for not being nobly born?

The insolence of the Nobles, and their violation of those laws of equality which had been the source of Roman greatness, may justly be considered as the occasional cause of all those mischiefs which Marius brought upon his country.

I come now to give an instance of the inconvenient consequence of *Character-drawing*, when it is *to the advantage* of the person characterised.

Tom. ix.
P. 251.

The Continuator of M. Rollin's Roman History, when he first speaks of METELLUS, makes no scruple to say—"THIS CONSUL HAD ALL THE QUALITIES THAT CAN RENDER A MAN ESTIMABLE; *Ce Consul avoit tout ce qui peut rendre un homme estimable.*" Yet, not many pages after, we find that METELLUS had so little sense of honour, as to think *himself at liberty to use any means by which he might acquire the glory of successfully terminating the war, committed to his conduct.* —"Il prit ses quartiers d'hiver dans la Province Romaine, à portée de la Numidie. Il ne donna pas ce tems là à l'oisiveté et aux délices, comme faisoient souvent les autres Généraux: et ne perdant point vûe de Jugurtha, il dressa de nouvelles batteries pour parvenir à finir la guerre. Il seroit vraiment louable, s'il n'eût employé que DES VOIES D'HONNEUR. Mais nous avons vû qu'IL N'ETOIT PAS SCRUPULEUX SUR CET ARTICLE. TOUT MOYEN LUI ETOIT BON POUR REUSSIR."

p. 268.

This is said on account of the Proconsul's secretly practising with Bomilcar, the King's chief confidant, to deliver up his encouraged

Chap. ii. *The Roman History.*

81

encouraged by the Diviner's prediction, he confidently requested, of his General, permission to

Y. R. 645:
Bef. Chr.

167.

344 Conf.

royal master alive or dead into the hands of his enemies: on this condition; METELLUS promises the felon, that the Senate shall not only pardon the murder he had committed at Rome, but confirm him in the possession of his whole fortune.

When the ingenious Writer says, *Nous avons vu qu'il n'étoit pas scrupuleux; &c.* he refers to METELLUS's former tampering, for the same purpose, with every one of the many Ambassadors, whom Jugurtha, from time to time, had sent to him, with offers of submission. *Il sonde ses Députés, en les entretenant chacun en particulier; et les trouvant assez disposés à ce qu'il souhaita d'eux, il leur proposa et vint à bout de leur persuader de s'engager à lui livrer Jugurtha vivant ou mort. Conduite peu généreuse, et qui prouve que même LES PLUS GENS DE BIEN DU TEMS OU NOUS EN SOMMES SE RESSENTOIENT DU DÉPERISSEMENT DES MOEURS.* METELLUS, pour mieux couvrir son jeu fait en public à ces Députés une réponse favorable, & leur donne lieu d'entretenir leur Maître dans de bonnes espérances.

Tom. ix:
P. 255.

May we not here apply to METELLUS himself, the censure which CICERO passes on MARIUS for having calumniated METELLUS? *Possimusne MARIUM virum bonum judicare? — Explica; atque excute intelligentiam tuam; ut videas, quæ sit in ea, species, forma, et notio VIRI BONI. Cadit ergo in VIRUM BONUM mentiri emolumentis causâ? — Nihil profecto minus. Est ergo ulla res tanti, aut commodum ullum tam expetendum, ut VIRI BONI et splendorem & nomen amittas? QUID EST, quod asserre tantum utilitas ista, quæ dicitur, possit, quantum auferre; si BONI VIRI nomen eripuerit? fidem justitiamque detraxerit? Quid enim interest utrum ex homine se quis convertat in belluam; an in hominis figura inhumanitatem gerat bellus?*

De Off. l.
iii. 26.

It may not perhaps be improper, on the present occasion, to add to this passage from Cicero's Offices, some few of the many things which he elsewhere speaks in commendation of MARIUS.

—Caium Marium vidimus, qui tibi secundis in rebus unis ex fortunatis hominibus; in adversis, unus ex summis viris videbatur, quo beatiore esse mortali nihil potest. Nescis, insana, nescis

Paradox:
2.

Y. R. 645.

Bef. Chr.

107.

344 Cons.

go to Rome, there to present himself a candidate for the Consular dignity. METELLUS, who,

quantas vires virtus habeat, nomen tantum virtutis usurpas: quid ipsa valeat, ignoras—

Orat. pro

Balb. 26.

—Queris aliquem graviorem? constantiorem? prestantiorem virtute, prudentia, religione, requitate [C. MARIO?]

Orat. pro

Mil. 3:

—Pudicitiam cum eriperet militi tribunus militaris, in exercitu C. MARI, PROPINQUUS EJUS IMPERATORIS: interfertus ab eo est, cui vim afferebat: Facere enim probus adolescens periculo, quam perpeti turpiter maluit. Atque hunc ILLE VIR SUMMUS, scelere solutum, periculo liberavit.

Tom. xiv.

p. 80.

Plutarch tells us that MARIUS not only absolved the young man, but with his own hands crowned him as a victor. But what the Biographer adds is remarkable, and surely discovers an unreasonable prejudice against MARIUS, *Heureux [I use M. Dacier's Translation] s'il avoit sacrifié ainsi son propre sang à la vertu, et à la sagesse, et non à sa propre ambition, et à ses vues d'intérêt.* So likewise, when Father Catrou has related how Jugurtha surprised the Roman camp while the General was making an assault upon Zama, he thus proceeds, "*Metellus, tout occupé du soin de son attaque, n'apprit que des fuyards de son camp, que Jugurtha y avoit pénétré. A l'instant il députa Marius, avec toute la cavalerie de son armée, pour enchaîner l'ennemi. Ne souffrés pas,*" lui dit il, *les larmes aux yeux, [The good Father omits per amicitiam perque Rempublicam obsecrat *] "que le Numide puisse se vanter d'avoir été plus heureux à nous surprendre, que nous à forcer Zama."*

* Vid. sup.

P. 79.

"MARIUS EUT EGARD A SA PROPRE GLOIRE.—IL VOLE OU SON HONNEUR L'APPELLE." Thus we see, that, according to these Writers, MARIUS never did a virtuous action, never did what was right from a right motive. And this indeed is expressly said by PLUTARCH.—*Si pour bien juger des plus belles actions des hommes, il ne faut les considérer ni par elles-mêmes, ni par la fin qu'ils ont eue, ni par les honneurs qu'ils ont attirés à leurs auteurs, mais seulement par les motifs qui les ont produites, il est certain que ni LES EXPLOITS de PYRRHUS ni ceux de MARIUS, NE MERITENT DES GRANDES LOUANGES, DESTITUES DE CE QUI DOIT SEUL LES FAIRE LOUER, je veux dire, D'UN MOTIF JUSTE & HONNETE,*

Comp. of
Pyrrhus
and Ma-
rius.

though

Chap. ii. *The Roman History.*

83

though possessed of many good qualities, had a mind tainted with the pride and haughtiness

V. R. 643.
Bef. Chr.

107.

344 Conf.

est l'ame des grandes actions. Il ny a que les travaux entrepris pour LA JUSTICE, et pour LE BIEN DES HOMMES qui soient véritablement louables. Or CE N'A JAMAIS ETE LE BUT de Pyrrhus, ni DE MARIUS. L'un et l'autre n'ont jamais rien fait que pour satisfaire leur AMBITION PARTICULIERE, et pour remplir ce DESIR INSATIABLE DE GLOIRE QUI LES DEVOROIT.

M. Rollin, in the Preface to his Second Volume of Roman History, says the same of ALL the Romans, That VAIN GLORY was le MOTIF UNIQUE de leurs plus belles actions. Whether this notion be well founded I shall examine elsewhere; at present, let us suppose it an indisputable truth: and then let us ask, What advantage could *Metellus* have over *Marius* in point of Moral character? None, most certainly. *Metellus*, if he committed fewer crimes than *Marius*, was not, for that Reason, more virtuous than He. They had neither of them any spark of real Virtue.

But let us suppose, as Plutarch seems to do, that it was possible for the old Romans to undertake and perform great actions, from a Love of Justice, and a regard to Public Good; or, in other words, that they were capable of Virtue: How does it appear, from any thing, recorded of *Metellus*, that he had more virtue than *Marius*?

If, in imitation of some writers, we were to begin the history of the actions of this *Metellus* with a Character of him, such as he seems, by his Conduct, to have really deserved, it would be to this effect.

That he was haughty and insolent, despising all merit in men, who were not of his own rank and high birth. That he was closely connected with the *Honest*, and employed his influence to support them in their usurpations on the rights of the people. That, though not to be corrupted himself, by money, he was a fast friend to those *honest* men who took bribes from a foreign enemy.

That, to acquire the glory of subduing that enemy, when he was General of the Roman army, he did not scruple to employ any means, even the basest and most odious; and that,

Y. R. 643
Bef. Chr.

107.

344 Conf.

common among the Nobles, pretended, at first, to wonder at his Lieutenant's project, and advised him, as out of friendship, to be satisfied with his condition, and not entertain any views above it: and having sententiously intimated to him, *That ALL things were not to be coveted by ALL men*, exhorted him, *carefully to avoid asking of the Roman People, what they might with good reason refuse him*. But MARIUS, notwithstanding this, and a great deal more to the same effect, persevering to solicit his discharge, the Proconsul, at length, answered him sharply, "You need not be in such haste to go away; it will be time enough for

when he had opportunities of serving his country, by weakening the enemy, he neglected his duty out of private pique and envy.

I say, How greatly would this character, previously given, diminish our admiration of *these parts of his conduct*, on account of which he bears a good name in history, and is, at this day, spoken of, as a man of real and distinguished merit? The particulars, I mean, are,

1. That he steadily refused the oath pressed upon the Senators by the Marian faction, an oath which all the other *honest* members, as well as the dishonest, meanly took.
2. That he chose to go into exile rather than commence a civil war.

This was, doubtless, very laudable, especially if those who proposed it to him could have supported him: but it might be the effect of mere regard for his own preservation, it not being likely that he and his friends would have got the better of Marius.

[By the way, what sort of *honest* men were those, who, for the sake of his personal interest, would have involved their country in a civil war? Memmius, the Tribune of the Commons, exhorted the people from ways of violence on a much more weighty occasion. *Vid. supr.*]

"you

"you to stand for the Consulship, when my Son
"may be your colleague." The son, at this time,
served under his father, and was about *twenty*
years of age.

V. R. 645.
Bef. Chr.

107.
344 Cons.

Such contemptuous treatment, far from di-
verting MARIUS from his purpose, served only
to make him more eager in the pursuit of it, and
to kindle in his breast an inextinguishable anger
against METELLUS. FROM THIS TIME, putting
himself wholly under the guidance of the worst
of counsellors, *Ambition* and *Revenge*, he said and
did every thing, which those passions dictated to
him. To the soldiers that were under his com-
mand, in their winter-quarters, he allowed unu-
sual liberty, relaxing the rigour of their disci-
pline, which he had hitherto always enforced, by
his own example, no less than by his autho-
rity. Amongst the Roman merchants (of whom
there were great numbers at Utica) he severely
censured his General's conduct, insinuating, that
he was a vain man, had the pride of a King, and,
being too fond of command, had protracted the
war, without necessity: and he boasted, that, were
he himself intrusted with only one half of the
army, he would, in a few days, have Jugurtha in
chains. The merchants listened to this discourse
the more readily, and thought it the more rea-
sonable, because they had suffered, in their com-
merce, by the continuance of the war, and be-
cause no measures seem expeditious enough to
men who are in great haste to be rich.

Not to neglect any means by which his views
might be promoted, he made court, even by flat-

Y. R. 645.
 Bef. Chr.
 107.
 344 Conf.

tery, to a poor unhappy Numidian, the faculties of whose mind were impaired by disease. His name was *Gauda*; he was grandson of *Masinissa*, and being a son of *Mastanabal*, was brother to *Jugurtha*, though by a different mother. King *Micipsa*, by his will, had named this *Gauda* to be next in succession to the crown, after his three immediate heirs. The crazy man having been refused by the Proconsul, certain honours, which could not be granted him without violating the Roman customs, was grievously affronted. In the height of his discontent, *MARIUS* accosts him, "What? a man of regal dignity—and a man of such importance—a grandson of *MASINISSA* to be treated so ignominiously! Demand satisfaction at Rome, for the insult you have suffered from the General. You may depend upon my assistance. Nothing could hinder your immediate possession of the kingdom of Numidia, were *Jugurtha* either killed or taken prisoner; and one of these would quickly be effected, if I were Consul, and intrusted with the command of the troops."

By these, and other such like methods, *MARIUS* engaged *Gauda*, the Roman Knights, the Soldiers, and many of the Merchants (and the hope of a speedy peace engaged still more) to write to their friends at Rome, inveighing against *METELLUS* for his slow procedure in the war, and expressing their earnest desires, that the conduct of it might be given to *MARIUS*. The concurrence of so many persons, in soliciting for his promotion, did him great honour; and the times

times too seemed much to favour his pretensions; the NOBLES having lately suffered a terrible overthrow by the *Mamilian* * Law, and the COMMONS, in general, being now disposed to raise *New Men* to the highest dignities.

THOUGH *Jugurtha*, by a fraudulent treaty, had been stripped of a considerable part of his treasure, his arms and his troops, yet he now, with great diligence, assembled an army, fortified the towns in his possession, and endeavoured, by promises and threatenings, to bring over those which had revolted from him. *Metellus* had put a garrison into *Vacca*, one of the largest and richest cities of *Numidia*, and had given the government of the place to *T. Turpilius Silanus*, an *Italian*, his particular friend, with whom he was connected by the ties of hospitality, subsisting from father to son. The chief men of the city, being gained by *Jugurtha*, took the opportunity of a public festival to invite the Governor, the Tribunes, and other officers of the garrison, to feast at their houses. Each man stabbed his guest, and then the inhabitants fell upon the Roman soldiers, and put them all to the sword. Of all the *Italians*, *Turpilius* alone escaped: whether this was owing to pity in his host, to compact, or to chance, is not clear ^a: but one thing (adds *Sallust*) seems to admit of no doubt, that, by whatsoever way he escaped, he was a base and detestable wretch, seeing, in so great

^a *Plutarch* says, the inhabitants of *Vacca* sent *Turpilius* away in safety, because of the lenity of his government. *Plut. in Mar.*

Y. R. 645.
Bef. Chr.

107.
344 Conf.

* Vid.
supr. p. 57,
58.

V. R. 645.

Bel. Chr.

107.

344 Conf.

a calamity (amidst a general massacre of his soldiers, countrymen, and friends) he could prefer an inglorious life to unfulfilled honour.

Metellus, the second day after his loss of the town, recovered it by surprise, gave it up to be plundered, and put most of the inhabitants to death ^b.—The Governor *Turpilius*, being brought to a trial, and making but a weak defence, the Council of War condemned him, and, as he was a Roman citizen with only the privileges of *Latium*, he suffered the punishment of being first scourged, and then beheaded ^c.

About the same time, *Bomilcar*, perceiving that *Jugurtha* had begun to suspect him; turned all his thoughts to prevent, by a timely murder of his master, the probable consequences of that suspicion: and, the more easily, to succeed in the enterprise, he engaged a Numidian Nobleman, named *Nabdassa*, to be his associate in it. *Nabdassa* was very rich and very popular, and had used to command a separate army, for performing those military operations, to which *Jugurtha*, when happening either to be employed in

^b *Appian* tells us, that the Roman General put to death all the Senators of *Vacca*. *App. in Fragm.*

^c According to *Plutarch*, *Marius* so irritated the Council against the accused, that *Metellus*, though unwilling, could not avoid pronouncing sentence of death upon him; and when, afterwards, the innocence of *Turpilius* appeared, *Marius* every where boasted, that he had lodged in *Metellus's* breast, a Fury that would perpetually torment him for having killed his host.

M. Dacier observes, that the innocence of *Turpilius* had not been discovered, when *SALLUST* wrote.

others

others of greater importance, or to be fatigued with business, could not, in person, attend. These two conspirators having fixed a day for the assassination, *Nabdalsa* repaired to the army (at that time, posted in the midst of the Roman winter-quarters, to preserve the country from being pillaged). Nevertheless, through fear, he failed to keep his appointment. *Bomilcar* therefore sent a letter to him, reproaching him with his neglect, and encouraging him to continue steady in the resolution they had taken; for that *Jugurtha* would certainly be destroyed; and the only question was, whether he should perish by the bravery of *Metellus*, or by theirs. When this letter arrived, *Nabdalsa* was lying upon his bed, to take a little rest after fatigue. Having read, and considered it, he fell asleep. Soon after, a *Numidian*, who managed the General's private affairs, and was his favourite, and the confidant of all his designs, except the last, entered the tent, and seeing a letter upon the pillow, took it up, read it, and then fled to *Jugurtha*. *Nabdalsa*, awaking, missed his letter, and, being informed of his servant's flight, sent after him in all haste, but to no purpose. He himself therefore went directly to the King, assured him that he intended to have discovered the whole affair, had he not been prevented by his servant, and, with tears, begged he might not lie under the suspicion of so great a crime. *Jugurtha*, disguising his real thoughts, returned a mild answer; and, when he had put *Bomilcar*, together with many of his accomplices, to death, continued his dissimulation, fearing,

Y. N. 643.
Ber. Chr.
187.
344 Cont.

Y. N. 643.
Ber. Chr.
187.
344 Cont.

Y. R. 645.
B. Chr.
107.
344 Conf.

fearing, should he give the reins to his revenge, he might thereby occasion an insurrection: but, after this time, he had no repose of mind by night or day. Fearing his own subjects now, as much as he feared the Romans, he could not think himself secure in any company. He had always a circumspective eye, was affrighted at every noise, and, not knowing where he could sleep in safety, was perpetually shifting his apartment, contrary to all regal decorum. Sometimes, starting out of his sleep, and snatching up his sword, he raised an alarm in the dead of night: so near to madness had the excess of his fear reduced him.

The Proconsul, having received intelligence, by deserters, of the fate of Bomilcar, applied himself to make preparations for the war, just as if it were now at its commencement: and judging, that if, by an exertion of his authority, he detained his Lieutenant, who never ceased importuning him for leave to go home, little benefit was to be expected from his presence, he at length dismissed him [about twelve days, says *Plutarch*, before the election of Consuls]. The letters from *Utica*, and the public harangues of the Tribunes, had so prepossessed the People of Rome in favour of *MARIUS*, that the reception he met with there fell nothing short of his most sanguine hopes: for the Comitia not only raised him to the Consulship [with *L. Cassius Longinus*] but voted him the command of the army in *Numidia*, though the Senate had, already, by a decree, assigned that province to *METELLUS*.

Y. R. 646.
Bef. Chr.
106.
345 Conf.

MARIUS,

Chap. ii. *The Roman History.*

91

MARIUS, whose chief object, now, was victory in the war against JUGURTHA, immediately demanded of the Senate, recruits for the legions; summoning, at the same time, all the bravest men of the *Latin* nation, to attend him: (with the most of these he was personally acquainted, by their having served with him; and of the rest there were few whose characters he had not learned by common fame). Many even of the discharged veterans he prevailed upon, by the force of persuasion, to follow him in his *African* expedition: nor did he neglect to ask auxiliary troops from the Kings and States in alliance with *Rome*.

The recruits, which the Consul demanded, were most readily and cheerfully voted by the Senate; who bearing him no good will, and believing that the People, in general, disliked the service in *Numidia*, hoped that he would either be unable, through want of men, to pursue the war, or would lose the affection of the multitude, by constraining them, against their inclinations, to give in their names. But, herein, the Fathers were disappointed: for the People flocked in crowds to be enlisted; every man pleasing himself with the hope of returning home crowned with victory and enriched with spoil. MARIUS, indeed, by an harangue to the multitude, had contributed, not a little, to raise their expectations. Ever since his election, he had made it his daily practice to insult the Nobility, sometimes particular persons, sometimes the whole body; boasting continually, that he had wrested the Consulship from them, like spoils from a vanquished enemy:

Y. R. 646.
Bef. Chr.
106.
345 Cons.

Y. R. 646.

Ref. Chr.

106.

343 Cons.

enemy: and, when all his demands had been complied with, and he was about to levy soldiers, he assembled the People, and spoke to them in the following manner.

"I know, *Romans*, that the behaviour of those who have obtained from your favour, the high offices in the State, has, generally speaking, been very different from what it was before their promotion. While candidates, they are full of modesty, humble petitioners, attentive and active to oblige. Are they elected? instantly they become proud, and lazy for the rest of their lives. But this is not my turn of mind. The good of the Commonwealth is, to my apprehension, of much greater moment, than whether this man or that be advanced to the Consulship or Prætorship. Nor am I insensible of the weighty charge laid upon me by your very great kindness. *To make preparations for the war, and, at the same time, to be frugal of the Public money; to compel to the Service those whom you are unwilling to displease; to attend to every thing that concerns the Public, both at home and abroad; and to do all this amidst a confederacy of envious, factionous men, determined to oppose all your measures,* is a more arduous task than you, fellow-citizens, can easily imagine.

"I consider too, that, in the discharge of high offices, if other men fail, they are protected from condemnation and censure by the antiquity and lustre of their families, the heroic actions of their ancestors, the credit of their relations

"and

Y. R. 446.
Bef. Chr.
106.
345 Conf.

" and friends, and the numerous crowd of their
" clients and dependants; but that I have no-
" thing of all this to trust to; that my sole hope
" and confidence must be in my own virtue and
" integrity.

" I am likewise aware, that all eyes are upon
" me, and that while every honest and candid
" observer (pleased with my successful endea-
" vours to serve the state) wishes well to me, the
" Nobles are incessantly watching for an oppor-
" tunity to compass my ruin. It concerns me,
" therefore, to take the more care, that *your Hopes*
" be not disappointed, and that *their Cabals*
" prove ineffectual. From my early youth, I
" have been inured to toils and dangers. The
" course which I have hitherto pursued from a
" disinterested principle, shall I discontinue it
" now, when you have bestowed on me so noble a
" reward? Those who have only a semblance of
" virtue, a disguise which ambition has occasion-
" ally induced them to put on, find it difficult to
" preserve, in their conduct, even that appear-
" ance, when they are actually in power: to me,
" who have all my life been in the practice of
" virtue, the habit of well-doing is become na-
" tural.

" You have ordained, that I shall have the
" management of the war against JUGURTHA;
" an ordinance highly displeasing to the Nobles.
" Now, pray consider with yourselves, whether
" it would not be better to alter your choice, and
" employ, upon this, or any other like occasion,
" some one out of that worthy body; a man of
" an

Y. R. 646.
 Bef. Chr.
 106.
345 Conf.

“ an ancient family, who has abundance of ima-
 “ ges, and no experience in military affairs. You
 “ will see the hurry, the confusion he will be in,
 “ having much to do, knowing nothing of the
 “ matter, and applying himself to some poor
 “ man of the Commons to instruct him. For
 “ this has, generally, been the case : he, whom
 “ you had appointed to the command, has been
 “ obliged to find some other commander from
 “ whom to receive directions. Nay, I myself
 “ know persons, who did not begin, till they were
 “ chosen Consuls, to read the history of our an-
 “ cestors, and the military precepts of the *Greeks*.
 “ Preposterous proceeding ! For though, in the
 “ order of time, the election to offices be prior
 “ to the exercise of them, yet, in the order of
 “ things, qualification and experience should pre-
 “ cede election.

“ *Romans*, compare me, who am but a *New*
 “ *Man*, with these haughty Nobles. Such ex-
 “ ploits as they are wont only to read or hear
 “ of, I *have*, partly, *seen performed*, by other brave
 “ men, and *have*, partly, *myself performed* : what
 “ they have learned from books, I have learn-
 “ ed in the service. Now, whether Practice or
 “ Speculation be of the greater value, do you
 “ judge.

“ They despise me, for my being a *New*
 “ *Man* ; I them, for their being *slothful cowards* :
 “ they reproach me with my want of fortune, I
 “ them, with their want of virtue. And it is my
 “ opinion, that though all men have one common
 “ nature, those who excel most in courage and

“ in

Y. R. 646.
Bef. Chr.
106.
345 Conf.

“ in fortitude, are the most noble. If the
 “ question could be put to the fathers of *Albinus*
 “ and *Bestia*, whether (had it been in their op-
 “ tion) they would have chosen *them* for their
 “ sons, or such men as I am: what answer do you
 “ think they would make? Doubtless, that they
 “ should have chosen to have the most worthy
 “ men for their sons. But, if the Nobles have
 “ reason to despise me, they have the same rea-
 “ son to despise their own progenitors, whose
 “ Nobility, like mine, took its rise from military
 “ virtue. They envy my advancement; let them
 “ envy, too, my integrity, my toils, the dangers
 “ I have passed through: for by these I arrived
 “ at the Consular dignity. Blinded with pride,
 “ these men live in such an infamous manner, as
 “ if they slighted the honours you have to be-
 “ stow; and yet they sue for them as confidently
 “ as if, by their course of life, they had deserved
 “ them. Ridiculous delusion! They propose to
 “ themselves to riot in the pleasures of a lazy
 “ effeminacy; and then to receive the rewards of
 “ a laborious virtue! When they make harangues
 “ before you, or in the Senate, their eloquence
 “ is chiefly employed in extolling their fore-
 “ fathers; from the relation of whose gallant
 “ actions they imagine a lustre will be derived
 “ to themselves. The event is quite contrary to
 “ their expectation: for the more illustrious the
 “ lives and exploits of the ancestors were, the
 “ more scandalous are the sloth and demerit of
 “ the descendants. The truth is, the glory of
 “ ancestors is as a light, which, shining upon their
 “ posterity,

Y. R. 646.

Bef. Chr.

766.

345 Conf.

“ posterity, makes them conspicuous to the public eye, and suffers neither their good nor their bad actions to be concealed. There is no such light, I confess, shining upon me; but, what is far better, my actions have a lustre of their own. Mark the equity of these Nobles! The honours which they arrogantly claim to themselves, in reward of other mens achievements, they think me unworthy to receive in reward of my own. And for what reason am I deemed so unworthy? Why, truly, because I have no images, and my Nobility is recent: but, surely, the man who acquires Nobility to his family, is a much more honourable person than he, who, born of a noble family, becomes a disgrace to it, debases it, makes it, by his infamous conduct, less noble than it was.

“ I know very well, that if they were now disposed to answer to what I have been saying, they could do it with a most copious and flowing eloquence, and with great accuracy: nevertheless, as they have, in all places, given a loose to their tongues against me, and against you too, ever since you conferred this great dignity upon me, I was resolved to speak my mind; lest my silence should be interpreted into a consciousness of guilt: not that I imagine I can suffer any real hurt from harangues: for, if what the Orator delivers be true, it must be to my praise; if false, my life and manners confute it. But, since you are blamed, both for promoting me to this high station, and for intrusting me with a charge so important as

“ the

“ See
in use as
Vo

“ the present war, please to consider again and
 “ again, whether it will not be prudent to revoke
 “ your decrees. I have no images, as I told you
 “ before; I cannot, in order to inspire you with
 “ confidence in my abilities and integrity, boast
 “ of ancestors, who have been honoured with
 “ *Consulships* or *Triumphs*: but, if it be necessary,
 “ I can shew you SPEARS, A BANNER, RICH
 “ HORSE-TRAPPINGS, and other military re-
 “ wards, which have been given me by the Gene-
 “ rals under whom I have served; and I can
 “ shew you, upon my body, scars of wounds; and
 “ they are all *before*. These are my images;
 “ such is my nobility; not a Nobility like theirs;
 “ not an inheritance, but an acquisition; a Nobi-
 “ lity, which I have myself purchased at the
 “ price of hardships, labours, and perils. ”

“ That I have no eloquence, I readily confess;
 “ and the want of it gives me very little concern:
 “ virtue needs no paint, no artificial ornament to
 “ set it off: let our great men have recourse
 “ to the false colouring of eloquence: for, in
 “ truth, they need it, to hide the infamy of their
 “ actions: I never was instructed in *Grecian* li-
 “ terature: nor had I any inclination to learn
 “ that, which, I found, did not, in the least,
 “ contribute to the increase of virtue in the
 “ teachers. But I have learnt lessons which
 “ qualify a man much better to be a useful mem-
 “ ber of the Commonwealth: I have learnt to
 “ rout an enemy in the field, to force him in his

* See Vol. I. B. ii. ch. 25. concerning the military rewards
 in use among the *Romans*.

Y. R. 646.
 Bef. Chr.
 106.
 345 Conf.

Y. R. 646.

Bef. Chr.

106.

345 Conf.

" strong holds, to fear nothing but infamy, to
 " bear cold and heat, to lodge upon the bare
 " ground, to endure, at the same time, both hun-
 " ger and fatigue. It is by the practice of these
 " lessons that I shall animate my troops; my
 " glory shall not be the fruit of *their* toils only;
 " I shall not indulge myself in ease, while they
 " are suffering hardships. To keep your soldiers
 " to strict discipline, while you are taking your
 " pleasure, this is to act the part of a tyrant, not
 " of a general. The other method of proceeding
 " is the only one that becomes a commander of
 " his *fellow citizens*; and it was by such conduct
 " that our fore-fathers acquired renown, both to
 " the Republic and to themselves. And yet our
 " present Nobles, having no likeness to *them*, de-
 " spise *us*, who endeavour after it; and demand of
 " you all places of power and trust, not on ac-
 " count of any thing they have done to deserve
 " those honours, but as due to them by inheri-
 " tance. How grossly are the understandings of
 " these men deceived by their excess of pride!
 " Their ancestors left them every thing that it
 " was in their power to leave them; their wealth,
 " their images, the glory of their exploits: but
 " they did not transmit their *virtue* to their de-
 " scendants; this was impossible.
 " They call me a clownish, uncouth, ill-bred
 " fellow: and why? because I do not make ele-
 " gant entertainments, nor keep a buffoon, nor
 " give a higher price for a slave that is to be
 " my cook, than for one that is to work at my
 " farm. Every part of this charge I readily

Chap. ii. *The Roman History.*

99

Y. R. 64.
Bef. Chr.
106.
345. Conf.

"avow. For I remember to have heard my
"father and other worthy persons often say,
"that delicacies and fineries belong to women;
"labours and rugged industry to men: that the
"good aspire to glory, more than to wealth, and
"think no furniture so ornamental as arms."

"But since our Nobles are not of this opinion,
"let them proceed in their own way. Leaving
"sweat and dust and such things to us (who
"indeed prefer them to the costly banquets of
"the luxurious), let them go on as they begun;
"let them love, and drink, and pamper their bel-
"lies; let them spend their riper years, as they
"have spent their youth, in the lowest of sensual
"gratifications. To these let all their thoughts
"be confined.—No, not so, say our worthy Nobles:
"*When we have made ourselves infamous and de-
"testable by the practice of all the most scandalous
"vices, we will then contrive to snatch the re-
"wards due to the virtuous and brave. And
"thus luxury and sloth, vices so fatally mil-
"chievous to the Commonwealth, are to be no
"hindrance to the ambition of men, the most
"shamefully stained with them; no obstacle in
"their way to the public honours, even the high-
"est dignities of the state!*"

"And now, having answered these Nobles so
"far as was necessary, not indeed to expose fully
"the base enormities of their conduct, but to
"vindicate my own character; I shall add a word
"or two in relation to the present state of public
"affairs. In the first place, as to *Numidia*, fear
"nothing, *Romans*; in effect, the victory is yours;

Y. R. 646.

Bef. Chr.

106.

345 Conf.

“ for you have now removed every thing that
 “ hitherto defended *Jugurtha*; every thing,
 “ indeed, that could defend him, *covetousness*,
 “ *ignorance*, *pride*. Add to this, that you have
 “ an army there, well acquainted with the
 “ country. It is an army, I confess, not so fortu-
 “ nate as courageous: for, through the covetous-
 “ ness or temerity of its commanders, it has suf-
 “ fered a great diminution: and it is for this
 “ reason, I would have you, that are of an age
 “ to bear arms, join with me, and take upon you
 “ the care and defence of the Commonwealth.
 “ And do not suffer yourselves to be discouraged
 “ by the mishaps of others, or by the haughty
 “ behaviour of some former generals. Both in
 “ marches and in battles, you shall always have me
 “ near at hand to consult with, and to share with
 “ you every danger into which I lead you: I and
 “ you shall be upon an equal foot, with regard
 “ to the fatigues, hardships, and perils of war.
 “ Never doubt, then, but, with the help of the
 “ Gods, we shall conquer; we shall *certainly* and
 “ *speedily* acquire both wealth and honour. And,
 “ were these *uncertain*, or *at a distance*, yet surely
 “ it becomes all honest men to support the cause
 “ of their country: for no mortal will be made
 “ immortal by sloth; nor did ever any father
 “ wish that his children might never die, but
 “ that, while they lived, they might live and act
 “ like worthy men. *Romans*, I should say more,
 “ if words could put courage into cowards: to
 “ the brave, I think, I have said enough.”

Marius,

a *Plu*
slaves.

VII. Chap. ii. *The Roman History.*

101

Marius, perceiving that the spirits of the multitude were elated by his discourse, caused provisions, money, and other necessaries for the war, to be, with all expedition, embarked; and he sent them away under the care of his Lieutenant, *A. Manlius*. His own diligence he applied wholly to the business of levying soldiers: nor did he, on this occasion, observe the ancient custom of admitting into the army those only, who had some estate, and belonged to one or other of the five first classes; without distinction, he accepted of all that presented themselves; so that the greater part of his recruits were of the *Capite-censi*, citizens, so poor, that they paid only a small poll-tax. His conduct, in this particular, (says *Sallust*) was, by some, imputed to the scarcity of better men; by others, to his ambition; the most needy, those who have nothing to lose, and who think no action dishonourable that is gainful, being the properest aids to a man, whose enterprize is the acquisition of power.

During these transactions at *Rome*, *Metellus*, in *Africa*, had been engaged, partly in military expeditions, partly in fruitless negotiations.

After the departure of *Marius*, the Proconsul led his forces against *Jugurtha*, and obtained an easy victory over him: for the King, having put to death a great number of his old friends, and the rest having, through fear, deserted him (some flying for refuge to *Bocchus* King of *Mauritania*,

^a *Plutarch* reports, that *Marius* did not refuse to enlist even slaves. *Plut. in Mar.*

Y. R. 646.
Bef. Chr.
106.
345 Conf.

Y. R. 646.

Bef. Chr.

106.

345 Conf.

others going over to the *Romans*), was fallen into the extremest perplexity. It was impossible for him to carry on the war without ministers and without generals; and yet, whom could he trust after so much perfidioufness as he had lately experienced? no advice, no person, nothing could please him: he marched, and countermarched; and changed his general officers every day: one while he advanced towards the enemy, and presently after turned away to the deserts; nor could he determine which he had more reason to distrust, the courage of his people, or their fidelity. Whilst he was in this wavering and distressful condition of mind, *Metellus*, on a sudden, came upon him. That part of the *Numidian* army, which the King commanded in person, maintained its ground for some time; but the rest was routed and put to flight at the very first shock. *Jugurtha* made his escape, through the deserts, to *Thala*, a large and wealthy town, the chief repository of his treasures, and the place where his sons received their education. Upon advice of these particulars, *Metellus*, believing he should put an end to the war, could he but take *Thala*, resolved to march thither, and invest it; though the river that was nearest to the town, was fifty miles distant from it, and the whole space, between them, waste and without water. Leaving his baggage behind, he took with him only ten days provision, loading with water, from the river, the beasts of burden, and commanding those of the *Numidians* who, after the late battle, had submitted to the *Romans*, to bring him water and provisions

sions on a certain day at a certain place. It is related that, when he arrived at this place (where the *Numidians* punctually met him according to the orders they had received), there fell such a vast quantity of rain, as was alone more than sufficient for the army; and that the soldiers, from a superstitious turn of mind, preferred the rain-water to that of the river; persuading themselves, that the plenteous shower was an evidence of their being under the special protection of the immortal Gods: and this persuasion greatly heightened their courage. The next day, contrary to *Jugurtha's* expectation, the *Roman* army appeared before *Thala*. The towns-people, though astonished at so strange an event (for they had thought themselves sufficiently secured by the desert), were not the less active and diligent in taking the necessary measures for defence. But the King, imagining now, that no enterprize of war was too difficult for the *Roman* General, quitted the town in the night, taking with him his children, and a great quantity of his money: nor did he ever, after this, stay above one day or one night in the same place. He pretended to be upon business that required haste; but, in truth, was apprehensive of treachery, which he hoped to prevent by such continued motion, as must hinder the disaffected from having convenient leisure and opportunity to form combinations and conspiracies.

It was forty days before the *Romans* could, by indefatigable labour and many sharp conflicts, make themselves masters of *Thala*; and even

Y. R. 646.
Bef. Chr.
106.
345 Conf.

Y. R. 646.
Bef. Chr.
106.
345 Conf.

Vid. supra,
P. 74.

then they were disappointed of the hoped-for spoil: for the *Roman* deserters, so soon as they perceived the wall shaken by the battering rams, carried the gold and silver, and whatever else was deemed valuable, into the royal palace; and when they had there filled themselves with wine and good cheer, set fire to the edifice, chusing rather to perish in the flames with the palace and its treasures, than to fall into the hands of *Metellus* [a General noted for being *cruel*, rather than *justly severe* to deserters].

Jugurtha, on his leaving *Thala*, had retired among the *Getulians*, a savage ^a people to the south of *Numidia*, who had never heard of the *Roman* name. He gathered a great multitude of these together, and taught them something of military discipline. Then, by presents and promises, he gained to his interest the favourites of his father-in-law ^b *Bocchus*, King of *Mauritania*; and, by their means, engaged him to arm against the *Romans*. To this *Bocchus* was the more easily persuaded, because, in the beginning of the war, he had, without success, sent Ambassadors to *Rome*, with the offer of his friendship and alliance. (For though, at that time, nothing could be more seasonable or more advantageous to the Re-

^a A great part of *Getulia* was subject to *Jugurtha*.

^b *Sallust* tells us, that such ties of affinity were of little strength among the *Numidians* and *Moors*; because every man being free to take as many wives as he could maintain, the husband's heart was divided among this variety, and never so captivated and engrossed by any one of his wives, as to make her his companion and friend: he treated them all with equal contempt.

Chap. ii. *The Roman History.*

105

public than a treaty of alliance with the *Mauritanian*, yet, through the avarice and influence of a few men in power, who would do nothing, right or wrong, but for money, his offer had been rejected).

Y. R. 646.

Bef. Chr.

106.

345 Conf.

When the two armies were joined, and the Kings had mutually pledged their faith to each other, *Jugurtha*, to raise the anger of the *Mauritanian* against the *Romans*, represented them as a people injurious, oppressive, insatiably covetous, and the common enemies of mankind. "*They have just the same cause for waging war against you, and against every independent Prince and State, as against me—THEIR LUST OF DOMINATION. I am now regarded as their enemy; not long ago, the Carthaginians and King Perses were considered in the same light; and so will every King, hereafter, who shall be thought rich enough to merit that distinction.*"

The combined armies, upon advice that *Metellus* had lodged his booty and prisoners, together with his heavy baggage, in *Cirta*, bent their march thither. It would amply reward the labour of the enterprize, could they possess themselves of the place; and in case they should be hindered from seizing it, by the *Romans* coming to its relief, yet, at least, a battle would ensue, which, at this time, was what the politic *Numidian* most eagerly desired; lest *Bocchus*, having leisure to reflect, should lay aside his hostile purposes, and entertain thoughts very different from those of war.

As

Y. R. 646.

Bef. Chr.

106.

345 Cons.

As the *Moors* were a new enemy, with whose manner of fighting the *Roman* General was unacquainted, he had not now the same forwardness, as heretofore, to come to an engagement at all adventures: but, fortifying a camp at a small distance from *Cirta*, he there waited an opportunity of giving battle with advantage.

It was during this inaction he received notice, by letters from *Rome*, that the People had assigned the province of *Numidia* to *Marius* (their advancing him to the Consulship he had learnt before). *Sallust* reports, that the grief and vexation of *Metellus* were far beyond what either decency or virtue could allow; "he restrained neither his tears nor his tongue; and, though, in other respects, an excellent man, wanted fortitude to maintain a character of dignity in such adverse and trying events. Some imputed his impatience to pride; others to that quick sense, which every man, conscious of worthiness, must unavoidably have of contumelious treatment; many thought, that to see a victory, which he had gained, snatched out of his hands, was the principal cause of his immoderate concern: but I have been sufficiently assured, that the advancement of *Marius*, not the wrong done to himself, was the insupportable torment; and that he would have borne his removal from the province with more temper, had any other than *Marius* been appointed to succeed him."

Restrained, therefore, by the discontent of his mind, and *thinking it a folly to purchase advantages*

tages to another with danger to himself, he attempted nothing farther in the way of arms; but dispatched deputies to King *Bacchus*, to admonish him, "Not to become an enemy of the Roman People, without provocation: that he had now a fine opportunity of entering into friendship and alliance with them, which would be more for his benefit than a war. That, whatever confidence he might place in his riches or in his military force, it would be highly imprudent to change certainties for uncertainties, and blend the affairs of his kingdom, that were now in a flourishing condition, with the desperate fortune of *Jugurtha*."

To this the King, with a courteous calmness, answered, "That *peace* was what he earnestly desired, but that he pitied the misfortunes of *Jugurtha*; that if he might be included in the treaty, all other matters would, with ease, be amicably adjusted." The Roman General sent a reply to the King's answer; messengers from both sides went backwards and forwards; the time passed away; and, agreeably to the desire of *Metellus*, no progress was made in the war.

But now the Consul, *Marius*, who, by his diligence and popularity, had raised soldiers sufficient (and somewhat more than had been granted him) to compleat the legions, arrived with his recruits at *Utica*. Here the army was delivered up to him by *P. Rutilius*, the Lieutenant of *Metellus*: for this angry General, that he might not have the pain of seeing those things, which he could not even bear of with patience, carefully avoided

Y. R. 646.
Bef. Chr.
106
345 Conf.

Y. R. 646.
Bef. Chr.

106.
345 Conf.

avoided an encounter with his hated successor; and made the best of his way to *Rome*. Contrary to his expectation, he was there received with the utmost demonstrations of public joy, and as a man equally dear to the *Senate* and to the *Commons*; the envy of the *latter* [who had triumphantly carried their point] being now entirely subsided ^a.

It would seem, that, after the *Roman* army had been strengthened by the troops which *Marius* brought with him into *Africa*, *Jugurtha* had not the same eagerness as before to come to a general battle. For no sooner did the two Kings hear of the Consul's arrival, than, separating their forces, they retired into places difficult of access, there to watch opportunities when they might suddenly issue out and fall with advantage upon straggling parties of the *Romans*, who, they

^a That *Metellus*, for his victories over the *Numidian* King, was honoured with a magnificent triumph, and the surname of *Numidicus*, we learn from *Velleius Paterculus*, l. II. c. xi. and from other writers. Nevertheless, from what *A. Gallius* reports to have been said by *Metellus*, in a speech to the People, it is concluded, that his triumph had been opposed by one of the *Tribunes*. *Qua in re quanto universi me unum antistatis; tanto vobis quam mihi majorem injuriam atque contumeliam facit, Quirites: et quanto probi injuriam facilius accipiunt quam alteri tradunt, tanto ille vobis quam mihi pejorem honorem habuit: nam me injuriam ferre, vos facere vult, Quirites: ut hic conquestio, illic vituperatio relinquatur. A. Gell. xii. 9.* It is likewise reported, that an accusation of having embezzled the public money was brought against *Metellus*: but that, when the accuser had obliged him (according to custom) to produce his books of account, none of the Judges would look into them, lest they should seem to doubt of his integrity. *Val. Max. l. II. c. x. Cic. pro C. Balb. c. v. and Ep. ad Attic. l. I. ep. xvi.*

hoped,

Y. R. 646.
Bef. Chr.
106.
345 Conf.

hoped, would grow secure and remiss in discipline; this being commonly the case of soldiers, who have laid aside all fear of an enemy. But *Marius* was too active and cautious to be easily surprized. By *exercising* his new raised men in frequent skirmishes, and in reducing many castles and small towns (neither strong by nature, nor well garrisoned), he brought them gradually to be upon an equality with his veterans, both in courage and in the exact observance of discipline. And, in order to raise yet higher the spirits of all his soldiers by experienced prosperity, and by hope still more pleasing, having led them into a rich and fertile country, and there amassed abundance of spoil, he most graciously divided among them the whole.

On the other hand, the two Kings had no success in the method they had chosen, of carrying on the war, for the Consul so watched their motions, as to prevent the execution of any important design they could form; and, in frequent instances, when either the *Getulians* or the *Numidians*, having pillaged the territories of the *Roman* allies, were going off with their booty, he intercepted, and routed them; and, once, near *Cirta*, he pushed *Jugurtha* to such extremity, that, to make his escape, he was forced to throw off his armour.

But *Marius*, considering that enterprizes of this kind, how fortunate soever, had more of show than of substance, and contributed little towards bringing the war to a conclusion, resolved now to invest, one after another, all those fortresses and towns

V. R. 646.

Bel. Chr.

106.

345 Cons.

towns of *Numidia*, which, by their situation, or garrisons, or numerous inhabitants, gave the enemy any advantage in the war: By this means *Jugurtha* would be deprived of his strong holds, if he did not come to their relief; or, if he did, would be forced to a battle; in which (for any thing that appeared to the contrary) he must depend wholly upon his own forces. For *Bocchus*, either from the levity and inconstancy of his character, or with a view to deceive and surprize the *Roman* army, had frequently sent messengers to the Consul, with assurances, *That he earnestly desired to be in friendship with the Romans*; who might, therefore, (he said) lay aside all apprehension of hostilities from him.

Marius, in pursuit of his resolution, began with castles, and certain inconsiderable, but well fortified, towns. Some of these he took by assault; others he terrified into a surrendry; and he reduced others by fair words and promises. But when he found that *Jugurtha*, instead of coming to their defence, and offering him battle, continued to keep at a great distance, wholly busied in other affairs, he thought the proper time was come for enterprizes of greater importance, and more difficult execution, than any of those in which he had hitherto employed his troops.

Capsa, a large and strong town, said to have been built by the *Libyan Hercules*, stood in the midst of a vast desert: and, as the inhabitants were exempted from paying taxes, and enjoyed other advantages of a gentle government, it was with reason believed, that *Jugurtha* might depend

Chap. ii. *The Roman History.*

pend upon their fidelity. Against an enemy they were well fortified by bulwarks, arms, and men; and still better by the difficulty of approaching them: for, excepting the lands near the town, the whole country around was waste and barren, without water, and infested by serpents, animals always pernicious, but more so when inflamed by thirst. The *Roman* General conceived a strong desire to attempt this place, not only because the reduction of it would be useful with regard to the operations of the war, but because it was difficult to effect, and he remembered, that *Metellus* had acquired great honour by the conquest of *Thala*, a town for situation and strength much like *Capsa*: the difference was, that not far from *Thala* were some springs of water, whereas the *Capsenses* had but one spring, and that was within the town: nor had they any other supply of water but from the heavens^a.

Marius, to conceal his purpose, sent away his Lieutenant, *A. Manlius*, with a detachment of light-armed soldiers to the city *Laris* (where he had placed his military chest and his stores) telling him, that he was going to pillage the country, and would join him in a few days. He then marched directly towards the river *Tana*. As

^a *Sallust* observes, that the scarcity of water in *Numidia*, and the other inland parts of *Africa*, was by the inhabitants the more easily borne, as they lived mostly upon milk and venison, without the use of salt or any other seasoning that provokes appetite or increases thirst: the purpose of eating and drinking, among them, being to satisfy a natural hunger and thirst, not to gratify a fantastic luxury.

Y. R. 646.

Bef. Chr.

166.

345 Conf.

corn was scarce^b, and water too, the General made the best provision he could to supply both wants. He had, a few days before, collected a good quantity of cattle: and, during his march, he distributed, in equal proportions, among the companies of foot and troops of horse, a certain number of those beasts, directing that, as fast as they were killed, bottles should be made of their hides: so that when, after six days, he arrived at the river, the soldiers had made a considerable number of leather bottles. Here he halted, and pitched a camp; but gave orders to his men, that, after taking due refreshment, they should be ready to march at sun-set; at which time, leaving their baggage behind, they were to load themselves and their beasts of burden with water, and with nothing else.

At the hour appointed *Marius* led out his troops, and, having marched all night, encamped again in the morning. Next night he renewed his march; and the third, long before day-break, arrived at a place full of small hills, not above two miles from *Capsa*: there he passed the remaining part of the night, taking all possible care to avoid being discovered. So soon as day appeared, the *Capsenses*, who had no apprehension of an enemy in their neighbourhood, came out of the city in great numbers; *Marius* perceived it, and strait commanded his whole cavalry, and

^b The *Numidians* were much more solicitous about grass for their cattle, than the production of grain; and what corn the land had produced this year, had, by the King's order, been carried into places of defence.

likewise

likewise the swiftest of his infantry, to fly instantly to the city, and seize the gates: he himself followed with all possible expedition, nor suffered a man of his army to stray, for the sake of plunder. The inhabitants, terrified to excess, quite stunned with the suddenness of their calamity, and seeing many of their fellow-citizens already in the hands of the enemy, surrendered without resistance. *Marius*, nevertheless, put to the sword all the *Numidians* that were able to bear arms, sold the rest for slaves, and burnt the city, when he had first given the plunder of it to his soldiers ^a.

The execution of so important an enterprize without any loss of men, added greatly to the renown of *Marius*. His soldiers (whom he go-

^a *Sallust*, though he confesses, that the General's proceeding, in this instance, was contrary to the laws of war, seems disposed to extenuate the iniquity, by telling us, that *Marius* did not act thus from a spirit of covetousness or cruelty, but because the place was very commodious to *Jugurtha*, and not accessible to the *Romans* without much difficulty; and because the people were an inconstant, perfidious race, not to be kept to duty either by kindness or by severity. But it may here be observed, that, if the historian speaks of the disposition of the *Capsenses* towards their own Prince, he contradicts what he told us before, viz. that they were esteemed a people whose fidelity might be depended upon, [fidelissimi habebantur]. If he means, that they were perfidious to the *Romans*, of this the *Romans* could have no experience. The truth seems to be, that *Marius* committed this unjustifiable, cruel act, in order to bring the war to a speedy conclusion, by terrifying the *Numidians* into a desertion of all their towns, without waiting till they were attacked: for we find, by the sequel of the story, that his cruelty had this effect with regard to most of them.

Y. R. 646.
 Bef. Chr.
 106.
 345 Conf.

verned with a gentle hand, and enriched with spoil) extolled him to the skies; while the *Numidians*, on the other hand, dreaded him as a being more than human. Allies and enemies all believed him to be, at least, inspired, and to act in every thing by the direction of the Gods. After what had happened to the *Capsenses*, few of the towns, against which he advanced, made any opposition; those which did, he forced; the greater number were deserted upon his approach; and he gave them all to the flames: over the whole country were spread fire, slaughter, and desolation.

The Consul closed this campaign with an exploit not less difficult in prospect (if we except what regarded *the march of the army*) than *Capsa* had been.

Not far from the river *Muluccha*, which divided the kingdom of *Jugurtha* from that of *Bocchus*, there was, in the midst of a plain, a high and rocky hill, of considerable breadth at top; on which stood a small fortress, or castle, well stored with men, arms, and provisions, and furnished with a spring of water. The way up to this castle was very narrow, and, on each side, bordered with a precipice: the rest of the hill nature had formed, in every part, with such a declivity, as, for its steepness, might well be taken for the effect of human contrivance and industry: mounds and turrets, and the other machinery commonly used in sieges, could not be employed here. Nevertheless, as *Jugurtha* had here deposited his treasures, *Marius* set his heart

heart upon making the conquest. The success of his first efforts did not correspond to his hope. To get up to the castle, by the narrow way above mentioned, was repeatedly attempted in vain. The enemy, with ease, broke to pieces his covered galleries [*vineæ*], or destroyed them with fire: insomuch that, after losing a considerable number of his bravest soldiers, he began to think of entirely dropping the enterprize. While his mind was in restless anxiety, fluctuating and undetermined, a *Ligurian*, of the auxiliary troops, going out of the camp, in search of water, observed, on the side of the hill (opposite to that side where the *Romans* made their attack) some snails crawling about the rocks: he picked up one, and then another, and continued climbing, in pursuit of more, till insensibly he got almost to the summit. Not meeting with any thing to check his progress, natural curiosity prompted him to proceed. In the place, where he chanced then to be, was a tall oak, which, growing out of the side of the hill, had been forced, by the rocky soil, to tend downward at first; but, when freed from that constraint, had taken a turn, and sprung upward, as all trees naturally do. The *Ligurian*, availing himself, one while of the branches of this tree, and then of the prominences of the rocks, mounted, at length, so high, as to be able to take a view of the level on which the fortress stood; nor was he, in any degree, disturbed in his survey, the attention of the *Numidians* being wholly engrossed by the conflict on the opposite side. When he had made such observations above, as he

Y. R. 646.
Bef. Chr.

106.

345 Conf.

Y. R. 646.

B. f. Chr.

106.

345 Conf.

thought might afterwards be of use, he came down by the same way he had gone up, but with more thought and circumspection, considering carefully every step of the descent.

And now, highly pleased with his important discoveries, away he speeds to the General, informs him of all, presses him to attempt the fortress on that side, and offers to be himself foremost in the danger, conductor of the troops that should be appointed to the service. The General immediately orders some of his attendants to go with the *Ligurian*, and examine into the truth of his report. Of these though some bring word that the thing is difficult, yet, others affirming it to be easy, *Marius's* hope of conquest is revived, and he resolves to make the experiment.

Out of the trumpeters belonging to the army, the Consul chose five, that were deemed the most active and nimble of the whole corps; and he gave to these, for a guard, four centurions [with their companies], commanding all to observe the directions of the *Ligurian*, and appointing the very next day for the execution of the design.

The soldiers of the detachment were bare-headed (that they might the better see their way), and barefooted (that they might climb the more easily), and being wonderfully assisted by the dextrous activity of their guide (as the historian relates the adventure), made a shift, though with great difficulty, to mount to the top of the hill. *Marius*, in the mean time, had only kept the enemy in a continued alarm, in order to fix their attention wholly to his side; but, now, having

learnt

learnt how far his detachment had succeeded, he sallied out of his covered galleries, and, causing his men to form a *Tortoise*, that is, to cover themselves with their shields close compacted, led them on towards the fort: his archers, slingers, and engines for casting stones and darts, he employed, at the same time, to distress the enemy. The besieged, emboldened by former successes, fought now, not behind, but before the walls of their castle; and the defence they made was vigorous and resolute, till, on a sudden, they heard the sound of trumpets behind them. Consternation, flight, dispersion and despair, ensued. The *Romans* pushing on, over heaps of slain, quite to the castle, entered with the fugitives (or scaled the walls), and became masters of the place ^a. And thus had *Marius* the good fortune to draw glory

Y. R. 646.
Bef. Chr.
106.
345 Conf.

^a The particulars of this action, as related by *Sallust*, if the reader understands them, it is well; the transcriber confesses he does not. The fort seems to have been taken by surprize, much in the same manner as the *English* sailors took *Gibraltar* in 1704: but, as to *Marius's* advancing his *vineæ* almost to the walls of the castle, and his being engaged in conflict with the *Numidians* under the walls of it, this seems inconsistent with the historian's account of the difficulty of ascending thither. *Mons SAXEUS, mediocri castello, satis patens, in immensum editus, uno perangusto aditu relicto: nam omnis natura, velut opere, atque consulto, præcepit. — ITER castellanorum ANGUSTUM admodum, UTRINQUE PRÆCISUM; VINEÆ cum ingenti periculo FRUSTRA agebantur. Nam CUM EA PAULO PROCÉSSERANT, IGNI, AUT LAPIDIBUS CORRUMPEBANTUR; MILITES NEQUE PRO OPERE CONSISTERE PROPTER INIQUITATEM LOCI; neque inter vineas sine periculo administrare; optumus quisque cadere, aut sauciari; cæteris motus augeri.*

Y. R. 646.

Bef. Chr.

106.

345 Conf.

to himself, even from his own inexcuseable temerity.

It was during the siege of this fortress, that the Consul's Quæstor, *Lucius Cornelius Sylla*, made his first appearance in the camp; bringing with him a considerable body of horse, which, in pursuance of orders from his General, he had raised in *Latium*, and among the Allies.

Sylla was descended from *Cornelius Ruffinus*, whom, in the year 478, after he had been twice Consul and once Dictator, the Censors *Fabricius* and *Æmilius* expelled the Senate for having ten pounds of silver plate in his house^a: and this branch of the noble *Cornelian* family had made no figure in the Republic since that time, and was almost sunk into obscurity, as well as poverty, when "*Sylla* produced it again into light, by "*aspiring to the honours of the State. He had "*been carefully instituted in all the learning of "*Greece and Rome; but, from a peculiar gaiety of "*temper, and fondness for the company of mi- "*mics and players, was drawn, when young, into "*a life of luxury and pleasure; so that Marius, "*[if we may believe Valerius Maximus] com- "*plained, that, in so rough and desperate a ser- "*vice, Chance had given him so soft and delicate "*a Quæstor. When he arrived in Africa he "*knew nothing of the art of war: but, whether "*roused by the example, or stung by the re- "*proach, of his General, he behaved himself in "*the Quæstorship with the greatest vigour and**************

Middle-
ton's Life
of Cicero.

^a *Plut. in Sylla. Vell. Pat. l. ii. Vall. Max. VI. ix. Sallust.*

" courage,

"courage, suffering no man to out-do him in any part of military duty or labour." Backward to receive favours, eager to *requite*, when he had received; ready to assist all who asked his assistance, and even doing kind offices to many without waiting to be asked; making himself equal and familiar to the lowest of the soldiers, and yet, in his converse with them, never seeking to wound the reputation of his General, or of any other worthy person (the common practice, says *Sallust*, of wicked ambition); by all this he soon acquired, not only the character of a brave and skilful officer, but, the affection both of *Marius* and of the whole army.

Jugurtha, after the loss of *Capsa*, and other his best fortified and most important places, together with an immense treasure, became sensible that nothing could retrieve his affairs, but a victory in the field: he sent messengers therefore to King *Bocchus* to urge him to march his forces with all possible expedition into *Numidia*; for that now was the time to give battle to the enemy. The *Mauritanian* demurred; it was found necessary to bribe his ministers; nor could these prevail till he himself was bribed with the promise, from *Jugurtha*, of a *third part* of *Numidia*, in case the *Romans* should be driven out of *Africa*; or the *Numidian* King, by a treaty of peace, be left in possession of his dominions entire. Allured by this offer, *Bocchus* came, with a numerous army, to the assistance of his ally. *Marius* was moving off towards his winter quarters, when, about an hour before night, he found himself, on a sudden,

Y. R. 646.
Bef. Chr.
106.
345 Conf.

Y. R. 646.

Bef. Chr.

106.

345 Conf.

encompassed on all sides by the united forces of the two Kings. They had chosen not to appear till towards the close of the day, because *darkness*, in case they were defeated, would be advantageous to them; and, in case they proved victorious, would be no disadvantage, they being well acquainted with the country; whereas, in both cases, to the *Romans*, who were strangers, the night would unavoidably create difficulties and perplexity. The Consul's army being attacked and broken in upon in diverse parts, before he could put it in any order for battle, or give out any word of command, the soldiers, both old and new (for these latter had learnt so much of the art of war), threw themselves into circular bodies, and thus, fronting every way, sustained the charge of the enemy. In this surprize, hurry, and confusion, *Marius*, though unable to perform *all* the functions of a General, yet, with a troop which constantly attended him (and which he had filled with men chosen rather for their bravery than on account of any personal regard), flew about to every quarter; one while succouring his own people in distress, then falling in amongst the thickest of the enemy, and still fighting valiantly in person; so that he both assisted his soldiers and gave them an example of courage unappalled by danger. The day was now spent, and the ardour of the barbarians did not slacken, but rather increased, from the persuasion they had, that the night would be favourable to them.

Marius, counselled by the distress of his situation, in order to secure a retreat for his men,
seized

seized upon two hills that stood very near each other; on the one, not spacious enough for an encampment, yet happily furnishing a plenteous spring of water, he directed *Sylla* to pass the night with the cavalry: he himself, having gradually drawn together his disordered infantry, led them up the other hill, which, for the most part, being high and steep, and, therefore, requiring little fortification, was very commodious for a camp. The two Kings, though compelled to cease the fight by the difficulty of following him, did not suffer their forces to retire, but made them spread themselves round both hills: and these barbarians, having kindled many fires, spent the greater part of the night in mirth and riot, dancing and shouting; which was their customary manner on the like occasions: even the leaders, because they had not run away, were highly elated, and behaved themselves as if they had been victorious. *Marius*, from his hill, perceiving their folly, forbade the usual sounding of the trumpets at the watches of the night, and ordered a perfect silence to be kept throughout his camp: but, when morning approached, and the barbarians, fatigued with their sports, were fallen asleep, he commanded the trumpeters of his army to sound all at once, and all the soldiers to give a shout, pouring down, at the same time, upon the enemy; who, awaking suddenly at the noise, were so struck and stupified with fear, as to be incapable of attempting a defence. More of the *Africans* are said to have perished in this surprize, than in all the former battles.

And

Y. R. 646.
Bef. Chr.
106.
345 Conf.]

Y. R. 646.
 Bef. Chr.
 106.
 345 Conf.

And now the Consul renewed his purpose of retiring into winter quarters; and, because of the plenty of provisions always to be had in the maritime towns, thither he bent his course. In this march, notwithstanding his late success, and the total disappearing of the enemy, he used the same circumspection and precaution, as if their forces had been in sight. The army advanced in the form of a square: on the *right* of which were the cavalry, commanded by *Sylla*; on the *left*, *Manlius* with the archers and slingers and the *Ligurian* cohorts: before the front and behind the rear of the main body marched the light-armed infantry, under the conduct of the Tribunes: the deserters, of small account as soldiers, yet useful, because acquainted with the country, were sent out to *discover*. At the same time, the Consul, as if he had appointed no officers under him, was himself every where, attentive to every thing, commending, and reprimanding, with just distinction. Nor was he less careful in a camp, than on a march. Going the rounds in person, he visited the watch and every quarter; not so much from any distrust of those employed to execute his orders, as from a persuasion, that the soldiers would more willingly submit to labour and fatigue, if they saw their General partake with them therein. And, indeed, during the whole time that he had the conduct of this war, he kept his men in good discipline more by the fear of shame, than of punishment. Many imputed this to ambition, and to a desire of ingratiating himself with the soldiers; while some imagined, that being inured,

inured, from his early youth, to hardships and labours, he took a real delight in what the rest of the world call distress and misery. Be that as it will, this is certain, the interest and honour of the Republic could not have been more advanced by the exercise of the utmost rigour in command, than they were by his mild and gentle methods.

After four days march, when the *Roman* army drew near to *Cirta*, the scouts, which *Marius* had sent out, appeared on a sudden, hastening back, all at the same time; a sure sign that the forces of the enemy were not far off. But as these scouts came from different quarters, and yet made one and the same report of the enemy's approach, the Consul could not possibly know on which side he should be attacked. To be prepared, therefore, on every side, to sustain the charge, he kept his men in the very order of their march, and halted where he then was. This measure disappointed *Jugurtha*: for he had divided his strength into four parts, flattering himself that some one of them would certainly have an opportunity of coming upon the backs of the *Romans*. The *Moorish* horse began the action, boldly charging the *Roman* cavalry, commanded by *Sylla*, who discovered great ability as well as resolution in sustaining the shock and repulsing the enemy. During this conflict King *Bocchus*, at the head of a body of foot, just brought him by his son *Volux* (who, loitering in his march, had not been in the former battle), attacked the rear-guard of the *Roman* army. *Jugurtha*, with the most numerous division of his troops, faced the *Roman* van, conducted by *Marius*

Y. R. 646.
Bef. Chr.
106.
345 Conf.

Y. R. 646.
Bef. Chr.
106.
345 Conf.

rius in person : but he no sooner received advice of *Bocchus's* being come up, than he privately, with a few attendants, wheeled off to that King's body of infantry, crying aloud, as he joined them, *It is in vain for the Romans to continue the fight ; for I have just now killed Marius with my own hand.* And this he spoke in *Latin*^a, that the *Roman* soldiers might understand him : at the same time he shewed them his sword, red with the blood of a foot-soldier, whom, with his own hand, he had killed, a little before. How much reason soever the *Romans* had to suspect the veracity of the reporter, it did not hinder the report from having, in great measure, the desired effect. They were terrified and disheartened ; while, on the other hand, the barbarians, inspired with fresh courage, pushed their enemies with more vigour and fury than before : insomuch that these were on the very point of running away, when *Sylla*, who had routed the cavalry of the *Moors*, and was happily returned from the pursuit, recovered the day by falling suddenly on the flank of their infantry. King *Bocchus* instantly fled. *Jugurtha*, tenacious of the advantage gained by means of his stratagem, obstinately continued the fight, till the few horsemen that attended him were all slain, and he found himself inclosed on the right and left by the *Roman* cavalry : single he then broke through all opposition, escaping unhurt by a shower of darts that were thrown at him as he

^a *Jugurtha* had learnt the *Latin* tongue in *Spain*, while he served under *Scipio*, at the siege of *Numantia*.

went off. About the same time, the Consul, who, after putting the *Numidian* horse to flight, received notice, that his rear guard had given ground, was coming with all diligence to their succour. In conclusion, the *Africans* were totally routed on every side ^b.

Y. R. 646.
Bef. Chr.
106.
345 Conf.

Marius, now unquestionably conqueror, and pursuing his march without further molestation, arrived at *Cirta*. Hither, about five days after the battle, came Ambassadors from King *Bocchus*, with this request, "That the Consul would be pleased to send to him two persons, of principal trust, with whom he might amicably confer upon matters which concerned both his interest and that of the *Roman* people." The Consul, without delay, dispatched *Manlius* and *Sylla*, to negotiate with the *Moor*. These deputies, though sent to the King at *his* desire, judged it adviseable to speak to him, before they heard what he had to say to them: to the end that, if he were inclined to war, they might, by their rhetoric, dispose him to peace; and, if desirous of peace, add more warmth to that desire.

Sylla, to whom, not as senior, but as the more eloquent, *Manlius*, on this occasion, yielded the precedence, addressed the King in words to the following effect.

^b According to *Orosius*, (lib. V. cap. xv.) the action near *Cirta* lasted three days. At length, the victory fell to *Marius* by means of a mighty fall of rain, which, while it refreshed the *Romans*, faint with thirst, rendered useless the shields of the barbarians. For being covered with elephants skins, the nature of which (he says) is to suck in water like a sponge, they became too heavy for the arm.

" King

Y. R. 646.
 Bef. Chr.
 106.
 345 Cons.

“ King *Bacchus*, it is a singular pleasure to us,
 “ that the Gods have at length disposed so great
 “ and worthy a man as you to be our friend ra-
 “ ther than our foe; and have admonished you to
 “ break that unnatural union, which, to the in-
 “ jury of your own most extellent character, you
 “ had formed with *Jugurtha*, the very worst of
 “ men. We, to our inexpressible joy, are hereby
 “ freed from the odious necessity of pursuing, with
 “ one and the same undistinguishing sword of
 “ vengeance, *him*, the most criminal of offenders,
 “ and *you*, who have only been led into a
 “ mistake.”

Having thus paid the due compliment to the
 King's transcendent merit, the orator proceeded
 to *inform* him, “ That the *Romans* had always,
 “ even from their low beginning, made it their
 “ choice to have friends rather than slaves, and
 “ had thought it safer to rule over willing sub-
 “ jects than such as are compelled to obedience.
 “ [Do you want an ally]? It is impossible for
 “ you to have a more commodious alliance than
 “ ours: because, in the first place, we are at a
 “ great distance from you, so that there cannot
 “ easily happen any occasion of quarrel between
 “ us; and yet we can be as friendly and service-
 “ able to you, as if we were your near neigh-
 “ bours: and, in the next place, we have vassals
 “ in abundance, more than enough; but neither
 “ we nor any other people ever so abounded with
 “ friends, as not to wish for more.”

After these and some other such like empty
 words, they intimated to him, “ that he had now
 “ a fine

" a fine opportunity of correcting his mistake,
 " and that the *Romans* were a people who never
 " suffered themselves to be outdone in acts of
 " kindness."

Y. R. 646.
 Ref. Chr.
 106.
 345 Conf.

Bocchus is said to have answered in very soft and gentle terms, apologizing for his error, and assuring the deputies, " That he had taken arms
 " with no purpose of hostility against the *Romans*,
 " but purely to defend his own territories, being
 " unable patiently to see a part of *Numidia*,
 " which, by right of war, belonged to him, as
 " having conquered it from *Jugurtha*, laid waste
 " by *Marius*. That he had formerly sent Am-
 " bassadors to *Rome* with an offer of his friend-
 " ship, and that his offer had been rejected : that,
 " however, he chose to be silent on that head, and
 " should willingly now, if *Marius* would give per-
 " mission, dispatch a second Embassy to the Ro-
 " man Senate."

Vide supr.
 P. 104.

It would seem that *Manlius* and *Sylla* expressed their approbation of this proposal : yet we find that it was not put in execution till some time after their departure. For *Jugurtha*, being informed of their arrival, and fearing the consequences, had, by rich bribes, gained to his interest some of the King's favourites ; and, through the influence of these, the *Moor* fluctuated awhile in uncertainty and irresolution. At length his fear of the *Romans* got the ascendant in his mind ; and he then appointed five of his chief confidants, men of approved fidelity and ability, to be his Ambassadors to *Marius* : and they were secretly empowered to conclude a peace upon *any terms*,
 in

Y. R. 546.
 Bef. Chr.
 106.
345 Conf.

in case the Consul permitted their proceeding to *Rome*, to negotiate that affair.

Marius, after disposing his troops in winter-quarters, had, with a detachment of his cavalry and light-armed cohorts, made an excursion into a solitary part of the country, there to besiege a tower, wholly garrisoned by *Roman* deserters; and he was at this time engaged in that enterprise.

The *Moorish* Ambassadors, in their journey to the winter-quarters of the *Roman* army, fell into the hands of some *Getulian* robbers, and were by them stript so bare, that when they appeared before *Sylla*, who, in the absence of *Marius*, commanded in chief, they made a most despicable figure. *Sylla*, nevertheless, received them with all the respectful civility due to their character, and not only supplied them with every thing necessary, but, over and above, made them noble presents; a liberality, which wrought on their minds with such power, as to convince them fully, that all the reports, they had heard of *Roman avarice*, were false; and that *Sylla* was sincerely their friend. For, even at that time (says the * historian), *there were many persons ignorant of the practice of giving, in order to corrupt, and who imagined that no man was munificent but from goodwill: that all presents were unquestionable proofs of kindness.* Under the force of this persuasion, the Ambassadors of King *Bocchus* disclosed to their *Roman* friend the whole of their instructions, requesting his advice and assistance in the business committed to their care. *Sylla* promised

* Cap. cxi.

* Th
 the Gre
 cap. 28
 Vo

promised every thing they asked, and counseled them in what manner to address the Consul, and, afterwards, the Senate.

Y. R. 646.
Bef. Chr.
106.
345 Conf.

Forty days they had been waiting to perform their commission to *Marius*, when he, having failed in his enterprize, returned to *Cirta*; and from thence (being there informed of their arrival), signified his pleasure, that they and *Sylla* should come to him from *Utica*: he summoned likewise the Prætor of that place; and from every quarter of the province, such of the *Romans* as were of Senatorian rank. Before this Council he laid the business with which the King had charged his ministers; and the result of the deliberation was, *Permission to them to proceed to Rome; and a cessation of all hostilities till their return.* Of the five *Moors*, three set out for *Italy*; the other two returned to the King; who, though he heard with pleasure all the particulars of their report, was with nothing so much delighted as with their account of that extraordinary warmth of friendship which *Sylla* had for him.

About this time the consular fasces were transferred to *C. Atilius Serranus*, and *Q. Servilius Cæpio*^a; but *Marius*, in quality of Proconsul, remained, by order, at the head of affairs in *Africa*.

Y. R. 647.
Bef. Chr.
105.
346 Conf.

The *Moorish* Ambassadors arrived at *Rome*, and had an audience of the Senate; where, having first confessed that their master, misled by the wicked artifices of *Jugurtha*, had been faulty,

^a This Consulship was memorable for the birth of *Pompey the Great*, and of *Cicero*. *Vell. Pat. lib. ii. A. Gell. lib. xv. cap. 28.*

Y. R. 647.
Bef. Chr.
105.
346 Conf.

they prayed, that he might be forgiven his fault, and be admitted into *friendship* and an *alliance* with the *Roman Republic*.

To which humble address they received this answer :

“ The Senate and People of *Rome* are not accustomed to forget either services or injuries. Since *Bocchus* repents of his fault, they grant him pardon. Friendship and an alliance he shall obtain, when he has deserved them.”

Bocchus, on receiving advice of what had passed, requested of *Marius*, by letter, to send *Sylla* to him once more. The Proconsul complied: *Sylla*, escorted by a detachment of cavalry and light-armed infantry, set out for *Mauritania*. On the fifth day of his journey, a body of horse appeared on a sudden, in a wide plain. They did not exceed 1000, yet, by the loose order of their march, were so spread as to seem much more numerous to the *Romans*; who likewise imagined them to be enemies, and therefore instantly prepared to receive them as such. This apprehension of danger was, however, quickly removed by the return and report of some horsemen sent out to *discover*. And, presently after, *Volux*, the son of *Bocchus*, riding up, and addressing himself to the Quæstor, informed him, that *The troops he saw had been sent by the King to meet him and to be his guard*. After this, the two corps joined; and they marched that day and the next without any alarm. But, in the evening, when they had pitched their camp, *Volux*, with a look of consternation and distress, comes hastily to *Sylla*, tells him,

Jugurtha

Chap. ii. *The Roman History.*

131

Jugurtha is not far off; the scouts have brought this intelligence; entreats and presses him to steal away privately in the night, and begs to be the sole companion of his flight.

Y. R. 647.
Bef. Chr.
103.
346 Conf.

Sylla disdainfully answered, That he neither feared the Numidian, who had been so often routed; nor distrusted the courage of his own men; but, were he sure to perish, he would stand his ground, rather than, by treacherously deserting soldiers committed to his conduct, preserve an uncertain life, which he might possibly lose in a very short time by some natural and common distemper.

Nevertheless, when *Volux* advised that the whole army should move off in the dark, the *Quæstor* approved of this measure; and, accordingly, gave orders, that the soldiers, when they had supped and lighted many fires in the camp, should set forward at the first watch of the night.

At sun-rise, when, all being thoroughly fatigued with their nocturnal march, *Sylla* was marking out ground for a camp, the *Maorish* scouts brought tidings, that about two miles before them, directly in their way, *Jugurtha* had posted himself with all his forces. The *Roman* soldiers, in mighty consternation, presently imagined themselves betrayed by *Volux*; and some were for executing vengeance upon the traitor without delay. *Sylla* had the same suspicion of the young Prince, yet would not suffer him to be hurr. He exhorted his *Romans* to call up all their courage, putting them in mind, that, in frequent instances, a few brave men had prevailed against multitudes: he invoked *Jupiter* to witness the perfidious wicked-

Y. R. 647.
Bef. Chr.
105.
346 Conf.

ness of *Bocchus*; and, then, turning to the Prince,
“ *Volux, you have the heart and intentions of an*
“ *enemy; begone out of my camp this instant!*”

The Prince, with tears in his eyes, begged of the
Quæstor *not to harbour that suspicion*, assuring
him, that *what had happened was wholly owing*
to the vigilant subtilty of Jugurtha. “ By his
“ spies, he got notice of my coming to meet you,
“ and learnt the route I was to take. However,
“ since he has no great numbers with him, and
“ has placed in my father all his hopes, it is not
“ probable he will venture upon any open at-
“ tempt, while I am here. So that I think the
“ best course will be, confidently to pursue our
“ way, and march through the very midst of his
“ camp. I will either send my *Moors* forward,
“ or leave them here, behind, as you shall chuse,
“ and I will, alone, accompany you.”

Nothing more adviseable occurring to *Sylla's*
thoughts, and his critical situation not allowing
time to deliberate, he followed the Prince's coun-
sel; which, by the event, appeared to have been
both sincere and judicious: for they passed on
safe and unmolested; and, in a few days, they
arrived at the place whither they had been di-
rected to go.

[The historian accounts for the *inaction* of *Ju-*
gurtha, on this occasion, by supposing him to be
held in suspense and irresolution by *surprize*, as
not having imagined that the *Romans* would
come on: but, perhaps, it would be better ac-
counted for, by saying, that the *Numidian* was

too able a politician, to act so very foolish a part, as what they had apprehended].

Y. R. 647.
Bef. Chr.

105.
346 Conf.

There was at this time in the court of King *Bocchus*, and upon a foot of freedom and familiarity with him, a certain *Numidian*, named *Aspar*, whom *Jugurtha* (having received intelligence of *Sylla's* being sent for), had dispatched thither, to be a spy upon the actions of the *Moor*, and to discover his intentions. *Dabar*, another *Numidian*, was likewise about the King, at the same time, and highly favoured by him, on account of his many excellent talents. This man, whose father was the son of *Masinissa*, by a concubine, had, in many instances, shewed himself a zealous friend to the *Roman* interest: for which reason the *Moor* fixed his choice on him as the fittest person he could employ, to be his messenger to the *Roman* Quæstor: and he gave him in charge, thus to say:

"*Bocchus* is ready to perform whatever the *Roman* People require of him. He refers it to you, *Sylla*, to appoint the place and time for your conference. *Aspar* must be summoned to it; otherwise it will be impossible to avoid the insidious wiles of his master: but you need not apprehend any inconvenience from the presence of that minister: for the settling of all matters shall be private, between *Bocchus* and you alone."

^a *Sallust* pretends (seemingly without any good reason) that *Bocchus* was not sincere in this message; and that he was, a long time, in debate with himself, Whether he should betray *Jugurtha* to *Sylla*, or *Sylla* to *Jugurtha*. *Sed ego comperio Bocchum magis Punica fide quam, &c.*

Y. R. 647.
Bef. Chr.
105.
346 Conf.

Sylla answered, that " he would not speak fully of the business of his commission, but to the King, when no other person was present, or, at most, very few; and that what he proposed to say before *Aspar* would be very short." At the same time, he furnished *Dabar* with the answer which the King was to give to it.

Place and time were appointed, and the parties, accordingly, met. *Sylla*, addressing himself to the King, " *I was sent by the Roman Consul to ask you, whether you are for peace or war.*" To which *Bocchus*, pursuant to his instructions, " *If you will come hither again ten days hence, you shall have an answer. I am not, at present, resolved.*" This said, each retired to his camp. But, when the night was far spent, the King sent privately for *Sylla*, who being come, and no body else present, except trusty interpreters, and *Dabar*, who was sworn to secrecy, *Bocchus* opened the conference with a speech. If the speech given us by *Sallust* be genuine, it may, perhaps, for unmeaning words, vye with that, which *Sylla* formerly made to the King.

What *Bocchus* said to the purpose was this: " That he would, henceforward, take no part in the war between the *Romans* and *Jugurtha*; would never stir beyond the river *Mulucha*, which had been the boundary between himself and *Micipsa*; nor ever suffer *Jugurtha* to come within that limit." He added, " If you have any thing further to ask, worthy of me and of the *Romans*, it shall not be refused."

To

To this, *Sylla* answered, " That the *Roman* arms having been successful in the war, the Senate and People of *Rome* could not possibly think themselves under any obligation to him for the offers he had made : that, if he desired to oblige them, he must do something that would appear to be done for their interest more than for his own; and that this would not be difficult: for, as he had now *Jugurtha* in his power, he might deliver him up to the *Romans*; who would, *then* indeed, be greatly indebted to him, and *then* every thing he desired, would follow of course, *friendship, alliance*, and that *part of Numidia* which he claimed."

Bocchus objected " His ties of affinity and consanguinity with the *Numidian*, the treaty of confederacy between them, as likewise the danger to himself, should he act so faithless a part, of thereby losing the affections of his people, who loved *Jugurtha* and hated the *Romans*:" nevertheless, wearied out by importunate sollicitation, the *Moor* consented, at length, to do all that *Sylla* desired, and it was then agreed to deceive *Jugurtha*, by making him hope, he should be included in the treaty of peace between *Rome* and *Mauritania*.

Accordingly, *Bocchus*, the day following, intimated to *Aspar*, that the *Romans* were willing to terminate the war upon *conditions*; that he had learnt this from *Sylla* by *Dabar*, and, therefore, wished to know the disposition of the *Numidian* King. Away went *Aspar*, full of joy, to the camp of his master: and, after eight days, returned with

Y. R. 647.
Bef. Chr.
105.
346 Conf.

this answer: "*Jugurtha* would gladly come into
" any measures for putting an end to the war;
" but having, more than once, experienced, that
" treaties, made with *Roman* Generals, are vain,
" and ineffectual, has little reason to trust *Marius*.
" If *Bocchus* be desirous of procuring a peace,
" that shall be durable and advantageous, both
" to himself and to his ally, let him contrive a
" meeting of all the parties, as if to confer about
" peace, and there deliver up *Sylla* into the
" hands of *Jugurtha*. A valid treaty, a treaty
" made by order of the Senate and People of
" *Rome*, will then infallibly ensue: for they will
" never suffer to remain in the power of his
" enemies such a man ^a as *Sylla*, a man of his

^a *Talem virum*. *Sallust*, when he puts these words into the mouth of *Jugurtha*, seems to have forgot that *Sylla* was, at this time, a man of very little consequence. His family, though noble, had sunk into obscurity, his fortune was low, nor does either his reputation or his interest seem to have risen to any considerable height, before the *Social* War. He could not obtain the *Prætorship* till he was past the legal age; and, when he did obtain it, it was thought to be by the force of bribes.

But, perhaps, the historian by *talem virum* means no more than that *Sylla* was *QUÆSTOR* of the *Roman* army, and *homo nobilis*, as he styles him in the same passage.

As to *Jugurtha's* attempt to persuade King *Bocchus*, that the most effectual means to obtain from the *Romans*, an advantageous and durable peace, would be, to betray a *Roman* *Quæstor* (then bearing the character, too, of an Ambassador) into the hands of their most hated enemy, it only indicates, that the *Numidian* looked upon the *Moor* as a very weak Prince, and wholly unacquainted with the temper of his enemies. For, that *Jugurtha* himself did not imagine, he should be enabled, by the possession of *Sylla's* person, to procure a peace

importance,

Chap. ii. *The Roman History.*

137

" importance, a *Roman Noble*, fallen into capti-
" vity, not through cowardice, or any neglect of

Y. R. 647.

Bef. Chr.

105.

348 Conf.

with *Rome*, we may well conclude from his neglecting to seize him, when he with *Volux* (not long before), in their way to the court of *Mauritania*, passed through the *Numidian* camp. Doubtless, *Jugurtha's* sole view in his endeavours to engage King *Bocchus* in so unpardonable an act of treachery, was to make the condition of the *Moor* as desperate as his own; in which case he might have counted upon the steadiness of his ally, and been able to hold out some years longer against the *Romans*.

Vid. sup.

p. 132.

This, I say, from the idea given us by the historians of *Jugurtha's* abilities, we should naturally conjecture to have been the aim of his proceeding; Not a *peace with Rome*, but means to continue the war.

At the same time, it must be confessed, that some parts of *Jugurtha's* conduct seem quite irreconcilable with common sense, and would incline one to believe, that he was really frightened out of his wits.

A late excellent writer observes, that " nothing is more
" common than to see men give themselves up to a *PASSION* —
" to their known prejudice and ruin, and in direct contra-
" diction to the loudest calls of *SELF-LOVE*. — Every ca-
" price of the imagination, every curiosity of the understand-
" ing, every affection of the heart, is perpetually shewing its
" weakness [the weakness of *SELF-LOVE*] by prevailing over it.
" Men daily, hourly, sacrifice the greatest known interest to
" fancy, inquisitiveness, love, or hatred, any vagrant inclina-
" tion."

Therefore, that *Jugurtha*, whose greatest interest (*that which his habitual SELF-LOVE called loudest for*) was the undisturbed possession of the kingdom of *Numidia*, should, nevertheless, from his fear or jealousy, or hatred of a rival, expose himself, when at *Rome*, to the resentment of the *Roman People*, by murdering *Massiva*; and that in revenge of the insult put upon him by the *Romans*, in constraining him to appear at the bar of the People's judicature, to undergo an examination, he should compel the whole *Roman* army, officers, and soldiers (when fallen into his power), to pass under the yoke, may,

p. 51, 52.

p. 56.

" duty,

Y. R. 647.

Bef. Chr.

105.

346 Conf.

"duty, but through a warm zeal to serve his
"country."

Bocchus, when he had a good while pondered this advice, promised to follow it. But whether he, at that time, meant to perform his promise (the historian tells us) is uncertain: because, though he frequently renewed it, he as often gave the like promise to *Sylla*.

In the night, preceding the day appointed for the conference, the *Moor* gathered about him his chief confidants, changed his mind on a sudden, dismissed them, and fell into great perturbation of mind; betraying, by the frequent alterations of his countenance, the inward struggles by which he was agitated. At length, however, he sent for *Sylla*, and, in concert with him, laid an ambush for the *Numidian King*.

Next morning, upon notice brought that *Jugurtha* was not far off, *Bocchus*, as if to do him honour, went out, accompanied by a few courtiers, and by the *Roman Quæstor*, to meet

perhaps, be considered as not wonderful, and only as instances exemplifying the observation above mentioned: viz. that the most cunning, wicked men will, to gratify a particular passion, do actions the most foolishly impolitic with regard to the very interests they are habitually in pursuit of. But that *Jugurtha*, after the perpetration of that murder, and after putting that gross affront upon the *Roman* army, should (being in his senses) hope to obtain from the *Roman* Senate and People a tolerable peace, and, from the sole motive of that hope, divest himself, in a great measure, of the means of defence, by giving up so large a part of his strength and treasure, as we are told he did, to his enemies, presents a difficulty, the solution of which I shall leave to the reader.

Vid. *supra*,
P. 74.

him

him at a certain eminence, that was in view of the men lying in wait. To this eminence the *Numidian*, attended by a considerable number of his friends, came unarmed, according to agreement. The signal instantly given, the ambush rose, surrounded *Jugurtha* and his followers, seized him, and massacred them: he was delivered up bound into the hands of *Sylla*, and, by him, conducted to *Marius*.

Y. R. 647.
Bef. Chr.
105.
346 Conf.

Thus ended ^b the *Jugurthine War*, to the real dishonour of both *Marius* and *Sylla*, who are said, nevertheless, to have warmly ^c contended for

^b The historians have not been careful to tell us how the newly conquered country was disposed of. *Sextus Rufus* says, that *Numidia*, from the time of *Jugurtha's* captivity, belonged to *Rome*: yet *Plutarch* [in *Mario*] speaks of a King of *Numidia*, whom he calls *Hiempsal*, to whom young *Marius*, when driven out of *Italy* by *Sylla*, fled for protection. The same King, under the name of *Mandresal*, is mentioned by *Appian*, [App. de Bell. Civ. lib. i. p. 388]. From *Sylla's* promise to *Boecchus*, it may with some reason be conjectured, that the third part of *Numidia* was yielded to that Prince.

Vide supr.
P. 135.

^c In this dispute, father *Catrou* has espoused *Sylla's* cause with remarkable zeal — “Thus was *Sylla* fortunate to a degree
“not to be paralleled; no embassy was ever more completely
“successful. — His stars, if I may so speak, delivered him
“out of all dangers, and accomplished his most sanguine hopes.
“He had the HONOUR of finishing, almost without the effu-
“sion of blood, a war, which *Marius* had not been able to
“bring to a conclusion, by many sieges and many victories.
“— Though a Proquaſtor only, he, from the time of his
“first [second] campaign became equal in reputation to the
“General himself. — At least he was looked upon at
“*Rome* as the chief conqueror of *Numidia*. — It seems
“as if Justice required that HEAVEN should give *Marius* the
“mortification of seeing the GLORY of the campaign di-
“vided between a ſubaltern and himself.” &c. &c. &c.
tome xiv. p. 167.

the

Y. R. 647.
Bef. Chr.
105.
346 Conf.

the GLORY of that gallant exploit which brought the war to its conclusion.—The GLORY of having engaged Jugurtha's father-in-law and confederate in arms to invite him to a friendly conference, and, under that cover, betray him into the hands of his most implacable enemies.

Marius continued in *Africa* the remainder of this year, and all the next, till *Rome* wanted the service of so able a General against the *Cimbri* and their allies.

C H A P. III.

The War with the Cimbri. The Second, Third, Fourth, and Fifth Consulships of MARIUS.

Liv. Epit.
l. lxxv.
Flor. l. iii.
c. 3.
Tacit. de
Mor. Ger.
c. 37.
• A people
of Switzer-
land.
Strab. l.
vii. p. 293.
Liv. Epit.
l. lxxv.
J. Cæs. de
Bell. Gall.
l. i. c. 10.
P. Oros. l.
v. c. 15.
Auct. ad
Herenn. l.
i. c. 15.
Oros. loc.
cit.

WE left the *Cimbri*, in the year 640, plundering and laying waste *Transalpine Gaul*. Little more is said of them till the year 644, when they defeated the Consul *Silanus*^a.

The following year the Consul *Aurelius* had no better success than his predecessor.

And in 646, *L. Cassius Longinus* (the colleague of *Marius* in the Consulship) suffered a notable overthrow from the *Tigurini**, who were, probably, assisted by the *Cimbri*. They surprised him in an ambush: where both he and his Lieutenant, *Calpurnius Piso*, lost their lives. His other Lieu-

^a According to *Florus* (l. iii. c. 3.), the *Cimbri*, before the battle, sent Ambassadors to the Consul and Senate, requesting, that lands might be assigned to them; on which condition they offered to assist the *Romans* in their wars.

tenant,

Chap. iii. *The Roman History.*

141

tenant, *Popillius*, made a shameful capitulation with the Barbarians: for he consented to give hostages, deliver up the half of his baggage, and pass with his army under the yoke. Being arraigned, at his return to *Rome*, for misconduct, he went into banishment to avoid a trial.

Y. R. 647.
Bef. Car.
105.
346 Conf.

In the present year (647), it fell by lot to the Consul *Servilius Cæpio* to conduct the war against the *Cimbri* in *Gallia Narbonensis*.

Before his departure from *Rome*, he obtained a law in favour of the *Senators*. *Caius Gracchus* had transferred from them to the *Knights*, the administration of justice. Some of the *Senators* (the number uncertain) were now admitted to be of the Bench of Judges: and *Cæpio*, for thisⁱ service, got the title of *Patron of the Senate*.

Cic. in
Brut. c. 44.
Jul. Obseq.
c. 39.
Val. Max.
l. vi. c. 9.
§ 13.
Dio. Cass.
ap. Vales.
p. 630.

Cæpio, after his arrival in *Transalpine Gaul*, recovered, from the *Cimbri*, *Tolosa*, the capital of the *Tectosages*. The inhabitants of the place had been in alliance with *Rome*, and had received a

ⁱ For the same reason doubtless it is that *Cicero* (in *Brut.* c. 35.), commends him; whilst other writers give him an odious character. *Crassus*, the famous orator, spoke in favour of *Cæpio's* law (*Cic. in Brut.* c. 42, and 44.), and his speech on that occasion served *Cicero* for a model by which to form his own eloquence. It would seem that a part of the speech was to the following effect: "Deliver us" (said the orator, addressing himself, in the name of the Senate, to the People) "from our miseries. Rescue " us from the jaws " of those, whose cruelty cannot be satisfied without blood: " Rescue us from slavery, do not; suffer us to be held in " bondage to any but yourselves, to whom we can and " ought to be slaves." *Cic. de Orat.* l. i. c. 52. & *Parad.* v. c. 3.

Y. R. 647.
Bef. Chr.
105.
346 Conf.

Roman garrison; which they afterwards betrayed to the barbarians: but now they, by night, admitted the Consul into the town; who, nevertheless, gave it up to be plundered by his soldiers. He is said to have found in the temples an immense quantity of gold^k, the greatest part of which he appropriated to his own use: nay, *Orosius* tells us, that the Consul, having sent away this treasure under a guard to *Marseilles*, treacherously caused that guard to be massacred in the way, and then made the whole his own.

L. v. c. 15.

Y. R. 648.
Bef. Chr.
104.
347 Conf.

It would seem that *Cæpio's* forces were not sufficient to oppose the *Cimbri*, for, after the election of *P. Rutilius Rufus* and *Cn. Mallius¹ Maximus* to the Consulship, the latter, by order, led an army to *Cæpio's* assistance, who, at the same time, was continued in his command in quality of Proconsul.

Oros. l. v.
c. 16.

On *Mallius's* arrival in *Gaul*, he and *Cæpio* divided the province between them, and made the *Rhone* their boundary. Soon after, the *Cimbri*

^k Authors differ about the value of this treasure, but all their accounts seem extravagant. *Posidonius*, as quoted by *Strabo* (l. iv. p. 188), reckons it at 15,000 talents, *Orosius* makes it 100,000 pounds weight of gold, and 110,000 pounds of silver; and *Justin* (l. xxxii. c. 3.), raises it to a much higher sum. It happened, that every one who had a hand in seizing this gold came to some miserable end; whence it became a common proverb, to say of a man reduced to extreme misery, *he has got some of the gold of Toulouse*. *A. Gell.* l. iii. c. 9.

¹ *Cicero* (*pro Planc.* c. 5.), calls *Mallius* an obscure man, without virtue, without sense, of manners vulgar and contemptible; and complains of the *Roman* People for preferring him, at this election, before his competitor *Q. Catulus*.

fell

Chap. iii. *The Roman History.*

fell upon a part of the Consul's army, commanded by his Lieutenant *Aurelius Scaurus* (who himself had been Consul three years before): they defeated it, and took the commander prisoner.

Mallius, terrified by this disaster, thought it proper to call *Cæpio* to his succour. The Proconsul, at first, haughtily answered, that each ought to take care of his own province: yet, presently after, fearing lest *Mallius* should obtain a victory over the enemy without him, he passed the *Rhone*; but would neither encamp his forces with those of the Consul, nor consult with him. Confident of success, and bent upon having the whole glory of it, he encamped his troops between those of *Mallius* and the *Cimbri*.

The Barbarians had been informed of the misunderstanding between the two *Roman* Generals; but, from *Cæpio's* motions, imagining now that they were reconciled, sent deputies to the Consul to treat of an accommodation. *Cæpio*, into whose camp, as nearer to them than the other, they naturally came, finding that it was not to him, but to the Consul, they had orders to address themselves, far from treating them in the manner due to their character, was once, in his rage, upon the point of putting them to death. His proceeding did by no means please either the soldiers, or the officers of his own army; who, apprehending fatal consequences from such intemperate passion, forced him, in a manner, to repair to the Consul's camp, there to deliberate upon the measures proper to be taken. Nothing was concluded:

142
Y. R. 643.
Bef. Chr.
104.
347 Conf.

Liv. Epit.
l. lxvii.

Dio. Cass.
ap. Vales.
p. 630.

Dio. Cass.
ap. Vales.
p. 633.

Y. R. 648.
Bef. Chr.
104.
347 Conf.

Liv. Epit.
l. lxvii.
Val. Ant.
ap. Oros.
l. v, c. 16.

Plut. in
Sertor.

Oros. loc.
cit.

concluded; the whole time passed in dispute, mutual reproaches, and affronts: and the two Generals parted more exasperated than ever against each other.

In this ill humour they had the folly to come to a battle with the enemy, in which they were totally defeated; they lost 80,000 men, beside servants, sutlers, and other followers of the camp, to the number of forty thousand. It is said, that scarce ten of the whole army escaped with the two commanders to carry the news of the defeat to *Rome*. Of this number was the famous *Sertorius*, who, though wounded, yet, according to *Plutarch*, swam across the *Rhone* in his armour.

The conquerors^m, pursuant to a vow they had made, reserved to themselves nothing of the spoil: they threw the gold and silver into the river, cut to pieces the arms and clothes of the dead, drowned the horses, and hanged up their prisoners upon trees. And it being now unanimously determined, in council, to invade *Italy*, they sent for their prisoner *Aurelius*, probably with a view to learn something from him that might be of use to them in their intended expedition: *Aurelius* endeavouring to persuade them not to pass the *Alps*, because the *Romans* were

^m *Eutropius* and *Orosius* mention four nations who shared in this victory, the *Cimbri*, *Teutoni*, *Tigurini*, and *Ambrones*. *Plutarch* ascribes the principal glory of it to the last, who appear to have been a people of *Switzerland*: he speaks of them as the bravest and most terrible of the whole allied army; they were thirty thousand in number.

(he

Chap. iii. *The Roman History.*

145

(he said) invincible, *Bojorix*, one of the *Cimbrian* chiefs, killed him upon the spot.

V. R. 648.
Bef. Chr.

The alarm and consternation, which the loss of the army occasioned at *Rome*, exceeded all imagination. The People, who imputed it wholly to *Cæpio*, were so enraged against him, that they deposed him^a from his command, and confiscated his estate: a proceeding of which there had been no example; no General, how culpable soever, having received the like affront.

304.
347 Conf.

Rutilius, the colleague of *Mallius*, had direction to raise new forces to oppose the barbarians. He performed his commission with an extraordinary care, being the first who introduced the custom of teaching the soldiers the use of their weapons by masters taken from the schools of the gladiators:

Val. Max.
l. ii. c. 3.
§ 2.

^a The next year, *L. Cassius*, Tribune of the People, passed a law, ordaining, that no person, who had been condemned and deprived of his command by the People, should sit in the Senate. *Cæpio's* name was not inserted, but he was the only person affected by this law. Ten years after his first condemnation, he was accused a second time before the People, by the Tribune *Norbanus*, on account of his sacrilege in seizing the gold of *Toulouse*. The orator *Crassus* undertook his defence: *Scaurus*, President of the Senate, espoused his cause, and two of the Tribunes opposed their colleague's proceeding; but violence, which was then grown common at *Rome*, decided the affair. In a tumult that ensued, *Scaurus* received a blow with a stone, and, together with the opposing Tribunes, was put to flight; and *Cæpio* was condemned. It is not certain what became of him afterwards. According to *Strabo*, l. iv. p. 188. he was banished, and retired to *Smyrna*; but *Valerius Maximus* (inconsistently with what he relates, l. iv. c. 7.) tells us, (l. vi. c. 9.) that *Cæpio* was strangled in prison, and his carcase ignominiously dragged with a hook to the *Gemoniæ*.

VOL. VII.

L

a practice

Y. R. 648.
Bef. Chr.
104.
357 Conf.

a practice adopted by the succeeding Generals; and, in later times, mention is made of these masters for the foldiery, under the name of *Campidoctores* *.

At the next election of Consuls, *Marius*, then absent, and who had been Consul but three years before, was, by the voice of the whole Roman People, named for one, though the laws forbade any man, who had held that station, to be placed in it again without an interval of ten years, and likewise forbade the chusing any man to it who did not stand candidate in person. Neither *Metellus*, vainly boasted of by his party as the conqueror of *Numidia*; nor any other of the Nobles, had the confidence to stand in competition with him in this time of real danger. *Gallia Narbonensis* was the province assigned to him; *Italy* to his colleague *C. Flavius Fimbria*.

Y. R. 649.
Bef. Chr.
103.
348 Conf.

Sall. Bell.
Jugurth.
in fin.
Liv. Epit.
l. lxvii.
Plut. in
Mar.

Marius, on his return to *Rome*, had a triumph for his conquest of *Numidia*. The principal ornaments of the procession were *Jugurtha* and his sons in chains. It is said, that the King appeared like a man out of his senses. The ceremony over, he was thrown into a dungeon, being condemned to be there starved to death. The gaolers, in their haste to strip him, tore off the tips of his ears to get the pendants he wore in them. Six whole days he passed in the dungeon struggling with famine, and retaining to the last moment an ardent desire of life *.

* This year the *Lusitanians* defeated a Roman army in Spain. *Jul. Obseq.* c. xl.

* It is thought that *Jugurtha's* two sons passed their days in captivity at *Venusia*. *App. de Bell. Civ.* l. i. p. 376.

Marius,

Chap. iii. *The Roman History.*

147

Marius, through absence of thought, went into the Senate, after the ceremony, in his triumphal robe, which was unprecedented. Perceiving the whole assembly surpris'd and shocked at the novelty, he instantly left the house, and, in a very short time, returned in the usual habit.

So well had *Rutilius* disciplined the new raised troops, that *Marius*, having his choice, preferred them, for the expedition against the *Cimbri*, to the army which he himself had commanded in *Africa*. He chose *Sylla* for his Lieutenant, as thinking him (says *Plutarch*) a man of too little consequence to give him jealousy ⁹.

⁹ We have here an instance (and there are many such) of *Plutarch's* want of memory, or, perhaps, of his little concern to make his stories either probable or consistent with one another.

In his Life of *Marius*, after relating how *Bocchus* betrayed *Jugurtha* into the hands of *Sylla*, he immediately adds the following account.

"This gave the first rise to that sad and deplorable civil war which almost ruined the whole Roman empire: for many that envied *Marius*, ascribed the success wholly to *Sylla*: and *Sylla* himself made a seal, wherein was engraven *Bocchus* delivering up *Jugurtha* to him: and this he constantly used, whereby he highly provoked *Marius*, a man extremely ambitious and jealous of a rival for glory," &c.

We have again, in the biographer's Life of *Sylla*, the successful negotiation of the Quæstor, his vanity, his seal, and the consequent anger and jealousy of *Marius*.

"For this success *Marius* triumphed; but being conscious that the GLORY of the Achievement was due to *Sylla*, envy made him grieve inwardly: and *Sylla* being himself naturally vain, and this being the first time that, from a low and private condition, he had risen to be in some consideration with his fellow-citizens, his ambition carried him to such a degree

Y. R. 649.
Bef. Chr.

103.
348 Conf.

Frontin.
Stratag.
l. iv. c. 2.
§ 2.

Y. R. 649.
Bef. Chr.
103.
348 Cons.

And now, instead of being too gentle and remiss in point of discipline, which *Sallust* imputes

“ of ostentation, that he caused a SEAL to be made, whereon
“ was represented *Bocchus* delivering up, and *Sylla* receiving
“ *Jugurtha*; which SEAL he made use of ever after. This
“ touched *Marius* to the quick; nevertheless, in his second
“ Consulship, thinking *Sylla* too far beneath him to be feared
“ as a rival, he appointed him to be his Lieutenant: and,
“ in his third Consulship employed him as a Legionary
“ Tribune.”

In this account (though it be adopted by *M. Vertot*, the Jesuits, *M. Rollin*, and others), it seems difficult to discern the least air of truth. Is it, in any degree, probable, that *Sylla*, who (as *Plutarch* observes) had but just started out of obscurity, and was very ambitious of rising to the highest honours, would be so impolitic, as immediately to provide himself with such a Seal as is described, and from this time constantly wear it; that is, coolly and deliberately contrive to make *Marius*, who was then the People's chief favourite, his enemy, and set him at defiance, by appropriating wholly to himself a glory, which naturally belonged to the commander in chief.

Or, is it probable, that, if *Sylla* had such folly and arrogance, and if *Marius* was thereby touched to the quick, and so highly provoked, as the historian reports him to have been, he would have chosen this enemy and rival for glory to be his Lieutenant in his second Consulship?

Marius was jealous of *Sylla* as of a rival for glory: nevertheless, *Marius* appointed *Sylla* to be his Lieutenant, looking upon him as a man of too little consequence to be his rival for glory. This is *Plutarch's* account.

The truth seems to be, that the SEAL in question was never thought of till many years after the end of the Numidian war, when King *Bocchus*, to whom an alliance with Rome had been granted, made a glittering golden present to the Roman People. And this might be gathered from another passage in *Plutarch's* Life of *Marius*, where, speaking of him after his return from Asia, he says, that he was neglected like a weapon of war in time of peace; and adds, “ that among all those, whose lustre eclipsed the glory of *Marius*, he was the most exasperated against

Y. R. 649.
Bef. Chr.
103.
348 Conf.

to him, with regard to the troops in *Numidia*, he was, on the contrary (by the report of *Plutarch*), "severe in command, and exact even to rigour. Nevertheless, his impetuous spirit, stern look, and thundering voice, were considered by the soldiers, when grown familiar with them, not as terrible to themselves, but only to their enemies."

A notable act of impartial justice helped much to conciliate to him the affections of the army.

"*Sylla*, who owed his rise to the hatred which the nobles bore to himself." And then he proceeds in the following manner. "When *Bocchus*, King of *Numidia*, dedicated in the Capitol, some golden victories bearing trophies, and, with them, a sculpture in gold, representing himself, delivering up *Jugurtha* to *Sylla*, *Marius* was thereupon almost distracted with rage; not able to endure that *Sylla* should arrogate that honour to himself.

"*Marius* attempted by violence to pull down those figures; and *Sylla* strenuously opposed his attempt: but the war of the confederates, THEN, on a sudden, threatening the city, put a stop to the sedition, that, ON THIS OCCASION, was just ready to break out." [The war of the confederates was kindled in 662].

By this date we see, that the dispute between *Marius* and *Sylla* for the glory of putting a fortunate end to the *Jugurthine* war (which ended in 647), was not till fifteen years after its conclusion, when *Marius's* interest was on the decline, and *Sylla* had made great progress in the road to the highest honours: for he had been already *Prætor*: and two years after this time (viz. in 664), was chosen to the Consulship. And it would seem that the SEAL was a copy of King *Bocchus's* present, and not the original; though it is very possible that *Sylla*, to pique *Marius* (whom he then did not fear), and to raise his own credit with the People, might, when *Bocchus* (with whom he had formed a sort of friendship) determined to make a present to the Romans, of a sculpture in gold, suggest to him the device.

Y. R. 649.
Bef. Chr.

703.
348 Conf.

Liv. Epit.
l. lxvii.
Plut. in
Mar.
Cic. pro
Mil. c. 4.
Vid. supra,
p. 82.

Liv. Epit.
67.
Plut. in
Mar.
Jul. Obseq.
c. xli.

Plut. in
Sylla,

His nephew, who served in the post of a Legionary Tribune, having several times solicited a young soldier, under his command, to unworthy compliances, and finding him always inflexible, had, at length, recourse to violence. The soldier, being determined to expose himself to any danger rather than yield, drew his sword, and ran the Tribune through the body. Being cited before *Marius* to receive sentence for having killed his commander; the General, when he had informed himself fully of the facts, not only acquitted the accused, but, with his own hands, crowned him as a conqueror.

When *Marius* arrived in *Gaul*, he learnt that the *Cimbri*, after ravaging all the country, from the *Rhone* to the *Pyrenees*, had, by those mountains, entered *Spain* *. This gave the Consul leisure to perfect his troops in military discipline; and (according to *Plutarch*) the *Romans*, notwithstanding the departure of the *Cimbri*, found enemies in *Gaul*: for he tells us, that *Sylla*, this year, took prisoner *Copillus*, the General of the *Tectosages* †.

* *Florus* places this irruption of the *Cimbri* into *Spain* before the Consulship of *Silanus*, l. iii, c. 3.

† About this time, *M. Scaurus*, President of the Senate, and who had been Consul and Censor, was accused by *Cr. Domitius Abenobarbus*, Tribune of the People, of having profaned several sacred rites of the *Romans*, and particularly those of the *Dii Penates* celebrated at *Lavinium*. The crime seems to have been a heavy one, but it is described in too vague a manner to be accurately understood at this time. The real source of the prosecutor's enmity to *Scaurus* was, that another person, assisted by *Scaurus's* interest, had succeeded *Domitius's*

When

When the time came for electing the chief Magistrates at *Rome*, the *Comitia* chose *Marius*

Y. R. 650.
Bef. Chr.
102.
349 Conf.

father in an Augur's place, to the exclusion of *Domitius* himself. But, though animated by personal hatred, *Domitius* had the generosity to reject the information that was secretly offered him by one of *Scaurus's* slaves, and to deliver up the traitor to his master. For want, perhaps, of this intelligence, *Scaurus* was acquitted, though with some difficulty; but *Domitius* grew such a favourite with the People, that he was afterwards chosen Consul, Censor, and Pontifex Maximus.

Ascon. in
Scaur.
Val. Max.
vi. 5.

His generosity in the affair of *Scaurus* undoubtedly contributed something to his popularity; but his chief merit was a law which he made, to substitute a popular election of priests of every denomination, to the old method of co-optation by their colleagues: or, rather, to unite both these methods, as had always been practised in the election of a Pontifex Maximus. Seventeen tribes, taken by lot, were to be assembled, and the person who had the suffrages of the majority was to be co-opted, without a power of refusal, by the College in which the vacancy happened.

Cic. de
Leg. Agr.
ii. 7.

Domitius, in his Tribuneship, accused also *Junius Silanus*, for misconduct in the war against the *Cimbri*, by whom he had been defeated, when Consul, five years before. He was acquitted by the People: two tribes only condemned him. *Cic. pro Corn. 2. in Fragm. and Ascon. in loc.*

C. Servilius Glaucia, another of the Tribunes, got a law passed, the import of which seems to have been a repeal of that which *Cæpio* enacted in the year 647, and a restoring to the *Roman Knights* all the privileges they had formerly enjoyed. *Cic. in Brut. c. lxii.*

It is not certain, what was the import of *Cæpio's* law, or of *Glaucia's*: the first, according to *Jul. Obsequens* (c. 39), divided the right of judicature between the Senators and the Knights; and *Cicero* (in *de Invent. l. i. c. 49.*) speaks of it as favourable to the Senate; whereas he tells us, that *Glaucia*, by his law, gained over the Knights to his interest (in *Brut. c. 62.*) *Cicero* (in *Divinat. in Cæcil. c. 3.*) speaks favourably of the judgments passed by the *Roman Knights*; and *Asconius*

Y. R. 650.
 Bef. Chr.
 102.
 349 Conf.

(in his absence) a *third time* to the Consulship, and continued him in his command. It was ex-

(*in loc.*) says, that the *Roman Knights* continued to be Judges for forty years after the time of *C. Gracchus*, and that they judged uprightly : that *Sylla* then transferred the right of judging to the Senators, and these judged iniquitously. And *Cicero* (*Att. i. in Verr. c. 13.*) says, that for near fifty years together, during which time the right of judging was in the Equestrian order, there was not the least suspicion of any Judge's taking money, though the Senators, when they were Judges, became infamous for that crime.

Yet this account cannot be strictly true ; for according to the same *Asconius* (in *Orat. pro Corn. 1.*) *Plotius*, in the year 664, got a law enacted, that fifteen men out of each of the thirty-five tribes should be appointed Judges, by which means some Senators came to be nominated. And *Cicero* (*pro Corn.*) tells us, that, by the *Plotian law*, the Senators were first admitted to judge among the Knights. *Livius Drusus*, in the year 662, obtained a law, that the Judges should be one half Senators and the other Knights ; but this law being abrogated the same year in which it was enacted, *Cicero*, in the passage above cited, takes no notice of it.

It would seem, upon the whole, that *C. Gracchus's* law continued in force till the year 664, when the *Plotian law* took place ; and that this latter was superseded by *Sylla's* law, which, in 672, gave the right of judicature entirely to the Senators.

Glaucia obtained likewise a law, which granted the freedom of the city to whoever of the *Latin* allies should bring an accusation against a *Roman Senator*, and prove his charge. *Cic. pro Balb. c. 24.*

It was about this time, that the scandalous debaucheries of two of the *Fabii* gave great offence at *Rome*, and were punished in the most exemplary manner.

One of them, who was the son of *Fabius Servilianus*, felt the indignation of his own father, who first banished him into the country, and, upon his continuing unreclaimed, ordered two slaves to put him to death. To screen the slaves from being examined by torture, old *Fabius* immediately manumitted

pected

pected that the barbarians would return from Spain the next spring; and the Roman soldiers

Y. R. 630.
Bef. Chr.
102.
349 Conf.

them; and he himself, upon an accusation's being lodged against him for this stretch of the paternal authority, chose to decline a trial, and went into exile to *Nuceria* in *Campania*. *Val. Max.* vi. 1. 5. *Oros.* v. 16.

Allobrogicus, the father of the other *Fabius*, was dead; but *Q. Pompeius*, the Prætor, supplied his place, decreed young *Fabius* unfit to manage his own fortune, and appointed him a guardian. *Val. Max.* iii. 5. 2.

The famous *Scævola*, the Augur, upon his return from the government of *Asia*, in the year 649, was tried for mal-administration and extortion in his province. His accuser was *T. Albucius*, a man of a singular character, who was possessed with such a fondness for every thing that was Greek, that he resided generally at *Athens*, and seemed willing to forget both his native country and his mother-tongue. *Scævola*, in his way to his government, passed through *Athens*, where *Albucius* coming to pay him a visit, the Governor, by way of ridicule on his silly affectation, addressed him, after the Grecian manner, with the word *χαῖρε* [hail], and his whole train of attendants, officers of the army, domestics, and even Lictors, did the same. *Albucius* was so nettled at this affront, that, upon *Scævola's* return to *Rome*, he brought against him the accusation above mentioned; but the conduct of the accused was found to be irreproachable, and the trial served only to make *Albucius* still more ridiculous.

Lucil. ap.
Cic. de
Fin. l. i.
c. 3. &
Cic. de O-
rat. l. ii.
70.

Not long after, he was accused of the same crime with which he had charged *Scævola*, and was not equally fortunate in clearing his character: *Albucius* had been Prætor in the year 647 or 648, and, at the expiration of his office, was appointed Governor of *Sardinia*, where having extirpated a few gangs of robbers, he sent to *Rome* to demand a solemn thanksgiving for this important exploit; and in the mean time paraded about the island with all the triumphal pomp. The Senate, to mortify his vanity, refused his request, though it was known to be a thing of course, and had never before been denied to any Governor. To complete his disgrace, the people of the island accused him of extortion, and he was found

Cic. de
Provinc.
Conf. c. 7.

declared

Y. R. 650:
Bef. Chr.
102.
349 Conf.

declared they would not march, against so dreadful an enemy, under any other General. The other Consul was *L. Aurelius Orestes*.

Id. ibid.

The *Cimbri* remained this year also in *Spain*, nor do we hear of any thing considerable performed, during the course of it, by the *Romans* in *Gaul*; excepting, that a numerous and warlike people, called the *Marfi*, are said to have been brought, by *Sylla's* means, into an alliance with *Rome*.

Plut. in
Mar.

Towards the end of the year ^t, *Aurelius* dying, *Marius* left the command of the army with his Lieutenant *Aquilius*, and returned to *Rome*, to preside at the election of new Consuls. On his arrival, he gained over to his interests *L. Apuleius Saturninus*, one of the Tribunes, who was in greatest favour with the People.

Cic. de
Harusp.
Resp. c.
20. & pro
Sext. c. 17.
Diod. Sic.
ap. Vales.
p. 390.
Plut. in
Mar.

To *Saturninus*, when Quæstor, had been committed the care of supplying the City with corn; and because he did not discharge the office well, the Senate appointed *Scaurus* to execute it in his stead. Provoked at this affront, he became a vi-

Cic. Tusc.
v. 37.

guilty. Stung with these repeated insults from his ungrateful country, *Albucius* retired to his favourite *Athens*, where he is said to have died more like a philosopher than he had lived.

^t This year *M. Fulvius Nobilior* is said to have gained some advantage against the *Cimbri* in *Spain* (*Front. Strat.* l. xi. c. 5. § 8.) *Calpurnius Piso* defeated the *Thracians*, and penetrated as far as *Rhodope* and *Caucasus* (*Jul. Obseq.* c. 41. *Flor. lib.* xxxvi. 4) and *M. Antonius*, the orator, now Proconsul in *Asia*, with the assistance of the *Byzantines*, destroyed the *Cilician* pirates, for which he had a triumph. *Cic. de Orat.* l. i. c. 18, *Liv. Epit.* l. lxxviii, *Tacit. Annal.* l. xii. c. 62.

olent

Chap. iii. *The Roman History.*

155

olent enemy to the Nobles, and was therefore easily engaged to employ his influence on the People to chuse *Marius* a fourth time to the Consulship. *Marius* himself affected to decline the office: whereupon *Saturninus* called him traitor to his Country, as refusing to assist her in so dangerous a war. The stratagem was too gross not to be discerned, yet the People, sensible of the need they still had of so able and fortunate a General as *Marius*, continued him in the Consulship; appointing for his colleague, *Q. Lutatius Catulus*, a man honoured by the Nobles, and esteemed by the Multitude.

Y. R. 650.
Bef. Chr.
102.
349 Conf.

Marius, soon after, set out for *Transalpine Gaul*; and *Catulus*, accompanied by *Sylla* as his Lieutenant, led an army to the foot of the *Alps*.

Y. R. 651.
Bef. Chr.
101.
350 Conf.

The barbarians, being defeated by the *Celtiberians* in *Spain*, had left that country, and returned into *Gaul*. And they now resolved to divide their forces, and to enter *Italy* on different sides: the *Cimbri* were to march through *Noricum*; the *Teutoni* and *Ambrones* through *Gallia Narbonensis*. *Marius* posted his army between two branches of the *Rhone*. In order to have provisions the more easily conveyed from the sea to his camp, by means of the river, the mouths of which were choked up with mud and sand, he caused his soldiers to dig a canal from the river to the sea; a work which still subsisted in *Plutarch's* time, and had the name of *Fossa Mariana*.

Plut. in
Mar.
Strab. l.
iv. p. 183.

At length the enormous multitude of the *Teutoni* and *Ambrones* approached the *Roman* army, and, with terrible cries, desired them to battle. *Marius*

Plut. in
Mar.

rius

Y. R. 651.

Bef. Chr.

101.

350 Conf.

rius declined the challenge. To accustom his troops to the fierce countenances and hideous noises of the barbarians, he posted his men successively, in different *corps*, upon the ramparts of the camp, from whence they might have a full view of the enemy; who not only ravaged the country round about, but frequently insulted the *Romans* in their intrenchments. Provoked at this insolence, the soldiers murmured in private, and complained that their General had no confidence in them, since he would not lead them against the barbarians. *Marius*, being informed of their complaints, was pleased with the ardour of his troops, and signified to them, that he had no distrust of their courage, but only waited, by the admonition of oracles, for a favourable time and place in which to give battle. These oracles were two vultures and a *Syrian* woman named *Martha*. The vultures he had tamed, and he used to let them loose about the camp, at proper times, their appearance being deemed a good omen. *Martha*, whom his wife had sent to him from *Rome*, was esteemed a prophetess; because, at a combat of gladiators, she had luckily guessed which of them would have the victory. She wore a large purple mantle fastened with clasps, and bore in her hand a spear wrapped round with bunches of flowers, and was carried about the camp in a litter. Great honours and respect were paid her, and *Marius* never sacrificed but by her orders.

Frontin.
Stratag. l.
iv. c. 7.
§ 5.

It is reported, that an officer of the *Teutoni*, remarkable for the greatness of his stature, challenged

Chap. iii. *The Roman History.*

157

lenged the *Roman* General to single combat. *Marius* answered — *If the fellow is in such haste to die, let him go hang himself.* Then, pointing to an old gladiator of a very low stature, he added, *Let him first vanquish this little man, and then I will fight the conqueror.*

Y. R. 651.
Bef. Chr.
101.
350 Conf. 1

The Barbarians, having in vain attempted to force *Marius's* camp, at the expence of a great number of their men, resolved, without regarding any more the Consul, to march directly forward to *Italy*. They passed ^u very near the *Roman* intrenchments, and, with insolent raillery, asked the soldiers, whether they had any messages to send to their wives? *Marius* followed the enemy, kept always near them, and at night intrenched himself on the most advantageous spot he could find. When they were got to *Aqua * Sextia*, they encamped in a vast extent of ground along the banks of a small river (probably the *Arc*), and the Consul on an eminence: an advantageous post, only it wanted water. This (says *Plutarch*) he did on purpose, and when his soldiers complained of his having encamped them in a place where they must die with thirst, he shewed them the river; saying, *Yonder is water; but you must purchase it at the price of your blood:* they answered, *Why do not you lead us thither, while we have any blood in our veins?* *Marius* replied, *You must first fortify your camp.* The soldiers obeyed, though with reluctance; but the sutlers and servants, im-

Plut. in
Mar.

* Aix in
Provence.

^u *Plutarch* says, it is reported, that the Barbarians were six days in passing by the *Roman* intrenchments in a continued march.

patient

Y.R. 651.
 Bef. Chr.
 101.
 390 Conf.

patient to have drink for themselves and their beasts, snatching up what weapons they could find, went in a body to fetch water from the river. It would seem that the *Teutoni* were a good way up the river on the same side with the *Roman* camp; the *Ambrones*, on the other side, lower down; and over-against the enemy. When the *Roman* sutlers had reached the river, they were at first attacked by only a small number of the Barbarians, the rest being at dinner, or bathing; but on hearing the noise made in the skirmish, the whole body of the *Ambrones*, amounting to above thirty thousand men, issued out, most of them flushed with wine: yet they did not approach in disorder, or with confused cries, but regulated their march by a kind of musick which they made by beating upon their armour; and they frequently repeated their own name, *Ambrones*, *Ambrones*. It happened, that the *Ligurians* marched at the head of the *Roman* army: and the same name having been that of their nation, they too immediately began to cry out, *Ambrones*, so that the field resounded with this word from every quarter. The *Ambrones* had the river to pass; and in passing it broke their order; and, before they could form again, the *Ligurians* charged them, and the *Romans* advancing at the same time to sustain their allies, the enemy quickly turned their backs. Many of them perished in the river, which the *Romans* crossing, pursued the runaways even to their camp.

Here a new kind of enemies presented themselves against both the pursued and the pursuers.

The

Y. R. 651.
Bef. Chr.

101.

350 Conf.

The wives of the *Ambrones*, armed with swords and hatchets, and gnashing their teeth with rage, discharged their fury equally upon their husbands (whom they called traitors), and upon the enemy. The night coming on, the *Romans* retired, but spent that night in great anxiety and terror; for their camp was not yet fortified, and, though the greater part of the *Ambrones* had been cut to pieces, an immense multitude remained of the Barbarians, by whom they expected every moment to be attacked. That night, however, and all the following day, passed without any action; early the next morning the Consul drew up his foot in order of battle, upon an eminence before his camp, making his cavalry descend into the plain. He had before detached three thousand of his infantry under the conduct of *Claudius Marcellus* to lie in ambush, and, at a proper time, to fall upon the enemy in the rear. The *Teutoni*, seeing the *Romans* drawn up for battle, had not patience to wait till they should come down into the plain, but advanced furiously up the hill to attack them. *Marius* ordered his men not to stir, till the Barbarians were near; then, having first thrown their darts, to fall upon them sword in hand, and push them down the hill with their bucklers. The *Teutoni* were soon driven into the plain; and the foremost had scarce begun to rally, when *Marcellus*, on a sudden, charged them behind. Being thus attacked, at once, both in front and rear, they made but a short resistance. More than a hundred thousand of them (ac-

cording

Y. R. 657.
Bef. Chr.
191.
350 Conf.

Diod. Ec-
log. l.
xxxvi.
Plut. in
Mar.

According to *Plutarch*) were killed or taken prisoners*.

According to some authors, the *Roman* army unanimously made a present to their General of the whole spoil. *Marius* caused it to be sold at a very low price to the soldiers, chusing rather to act in that manner, than to make a pure donation of it; and this, probably, to avoid the appearance of setting too small a value on their present. This proceeding acquired him universal esteem: the great united with the multitude in applauding him.

As to the arms taken from the Barbarians, *Marius* set apart, for the ornaments of his triumph, all the richest and most glittering: the rest he ordered to be heaped together, that he might make a sacrifice of them to the Gods. Crowned with laurel, and cloathed in a robe of state, he was going, with his own hands (according to the *Roman* custom), to set fire to the pile, when certain horsemen, riding full-speed, appeared on a sudden. Coming up to him, they dis-

* In the *Epitome of Livy* (l. lxxviii.), it is said, that 200,000 of the Barbarians perished in this and the former battle; and that 90,000 were taken prisoners.

The report of *Velleius Paterculus* (l. ii. c. 12.) is, that above 150,000 were killed in both actions, and that the whole nation of the *Teutoni* was extinguished.

Valerius Maximus (l. vi. c. 1. § 3. *extern.*) tells us, that, after the battle, the young women of the *Teutoni* requested of *Marius* that they might be given to the Vestal virgins, promising perpetual chastity: but this being denied them, they hanged themselves the night following. *Florus* (iii. 3.) relates nearly the same story of the *Cimbrian* women.

mounted, accosted him with the news of his being Consul for the *fifth time*, and delivered him letters that notified his election; a new subject of joy to the whole army: *Marius* finished his sacrifice amidst their universal acclamations.

Y. R. 652.
Bef. Chr.
100.
351 Cons.

The colleague appointed to *Marius* was *Manius Aquilius*, commissioned afterwards to conduct a war against the revolted slaves in *Sicily*; of which more hereafter.

Catulus continued at the head of the army, which he had led to the foot of the *Alps*. That he might not be obliged to weaken his forces by such a division of them as would be necessary to defend the passes of the mountains, he had retired over the *Athesis* *. After he had pitched his camp, he caused forts to be raised on each bank of the river to defend the pass, and a wooden bridge to be built, by which he might have a communication with the guard on the farther side. In the mean time the *Cimbri* came down the *Alps* that were yet covered with snow †, and, advancing to the *Athesis*, encamped within sight of the enemy. This done, they threw into the channel earth, trees, and vast pieces of rocks, and, when the stream, by being straitened, became rapid, they cast into it things of great weight, which, being carried down by the current with violence against the piles of the bridge, so shook it, that it seemed in danger of being carried away.

* The Adige.

† *Plutarch* reports, that the Barbarians, out of a sort of bravado, climbed up naked over heaps of ice and snow to the tops of the hills, and then, upon their large shields, let themselves slide down to the bottom.

Y. R. 652.
Bef. Chr.
100.
351 Conf.

The *Roman* soldiers did not wait for the event, but, being seized with terror, abandoned their camp. *Catulus*, finding it impossible to stop his men, put himself at their head, that the army might seem to have only obeyed the command of their General, and not run away through fear of the enemy: an instance of the most noble and disinterested conduct, according to *Plutarch*; the General sacrificing his private glory to the good of his country: yet certainly this noble action, so highly praised by the historian², is capable of a construction not much to the advantage of *Catulus*, [or of *Sylla*, whom the same historian represents as the chief counsellor of this General, and his right hand for execution].

The guard of the fort on the other side of the river defended themselves with resolution against the attacks of the *Cimbri*; who, admiring their bravery, granted them at length an honourable capitulation, and swore to it upon a brazen bull.

After taking the fort, the *Cimbri* spread themselves over the country, and pillaged it. In this situation of things, *Marius* was sent for to *Rome*:

² "I do not believe (says Monsieur Crevier very judiciously), that *Marius*, on the like occasion, would have been willing to deserve the like praise: and, indeed, *Plutarch* (in *Sylla*) tells us, that *Catulus* was no great warrior." *Hist. Rom.* tom. IX. l. xxx.

Scaurus (President of the Senate) had a son, who served in the cavalry: he fled full speed to *Rome*. His father, on notice of his arrival, forbade him ever to appear before him; whereupon the young man killed himself. *Front. Strat.* l. iv. c. 1. § 13. *Aur. Vict. in Scaur.*

Y. R. 652.
Bef. Chr.
100.
351 Conf.

on his arrival, the Senate offered him a triumph, but he deferred his acceptance of that honour, till the war should be terminated by another victory; which he spoke of as a thing certain: and presently setting out for the camp of his late colleague, he at the same time ordered thither his own army from *Gaul*.

The two Generals, having joined their forces, passed the *Po*. The *Cimbri* were at no great distance, but deferred offering battle, till their friends, the *Teutoni*, should come to their assistance, according to agreement². In the mean time they sent Ambassadors to the Consul, demanding that lands and towns might be assigned them, sufficient both for themselves and for their brethren. *What brethren do you speak of?* (said *Marius* to the Ambassadors): They answered, THE TEUTONI. To which the Consul replied, *Do not trouble yourselves about providing for your brethren; we have already given them land, and they will always keep possession of it.* The Ambassadors, finding themselves insulted, broke out into passion, threatening to make him repent his behaviour so soon as the *Teutoni* should arrive. *They are here already* (said *Marius*), *and it would not be kind in you to go away without saluting your brethren.* After these words, he caused the *KINGS* (or leaders) of the *Teutoni*, whom he had taken prisoners, to be brought forth in chains.

² *Florus* tells us, that the *Cimbri*, after the action upon the *Atthesis*, were enervated, by living luxuriously.

Y. R. 652.
Bef. Chr.
100.
351 Conf.

The *Cimbri*, on the return and report of their Ambassadors, advanced without losing a moment; and, having encamped not far from the Consul their King *Bojorix*, at the head of a small body of cavalry, came forward, and defied *Marius* to battle, bidding him name the day and place. The Consul answered, that *it was not the custom of the Romans to take counsel of their enemies about giving battle; nevertheless, he would have that complaisance for him, to do what he had desired.* It was thereupon agreed, that the time should be the third day from thence, and that the field of battle should be the plain of *Vertellæ*; a plain commodious for the *Roman* cavalry, and large enough for the Barbarians to draw up their numerous forces. Thither the *Romans* and *Cimbri* repaired, punctually at the day appointed. *Catulus's* army consisted of 20,300 foot; *Marius* had 32,000. The number of the *Roman* cavalry is not mentioned. *Plutarch* is the only writer who gives us any particulars of this battle, and his account is very unsatisfactory; the memoirs of *Sylla*, who became *Marius's* greatest enemy, and was now Lieutenant to *Catulus*, being his chief and almost only authority*. [Once he quotes the memoirs of *Catulus*.] *Plutarch* relates, that the Consul posted *Catulus*, and his troops in the

* The same memoirs relate, that *Sylla*, by his industry, in a time of scarcity, supplied the troops of *Marius* with provisions in abundance; a service which greatly displeased *Marius*, because of his extreme jealousy of *Sylla*, who, regarding him as an enemy to his advancement, had left him, and attached himself to *Catulus*,

center, and, having divided his own forces into two bodies, placed them on the wings, a little advanced towards the enemy, that he might have the glory of defeating them before the Proconsul's troops could engage. The *Romans* had the advantages of the sun and wind.

The *Cimbri* drew up their infantry in a square body, each side thirty furlongs in length. Their cavalry, amounting to 15,000, seem to have been at first posted on the right of their infantry, from whence they wheeled off by degrees, in order to come upon the rear of the enemy. This stratagem the *Roman* Generals perceived; but their soldiers thought it a flight, and therefore advanced as to the pursuit, without waiting for orders. The whole body of the *Cimbrian* infantry moved forward (says *Plutarch*), like the waters of a vast sea. *Marius* and *Catulus*, lifting up their hands towards heaven, vowed, the one to sacrifice a hecatomb to the Gods, the other to dedicate a temple to *the fortune of this day*. A mighty cloud of dust arose, and covered both armies. *Marius*, according to *Sylla's* memoirs, was so unfortunate as to lose himself in this cloud. Though the *Cimbrian* phalanx was three miles deep, he passed it by, and wandered up and down the plains a good while without being able to find the enemy. But *Catulus* and *Sylla* had the good fortune to find them; and, with only about 20,000 men, stood the whole brunt of this battle. The excessive heat (for it was in the end of *July*) greatly incommoded the *Cimbri*, accustomed to a cold climate; and they had the farther disadvan-

Y.R. 652.
Bef. Chr.
100.
351 Conf.

Y. R. 652.
 Bef. Chr.
 100.
 351 Conf.

tage of the sun's shining full in their faces: It is said, that their foremost ranks had some how linked themselves together, to hinder their order from being broken. These therefore were cut to pieces, the rest put to flight, and driven to their camp. There the *women*, mounted upon the waggons, furiously assaulted those that fled, whether husbands, brothers, or fathers. They sent deputies to *Marius*, to demand of him, either liberty, or a slavery, which suited their sex and virtue, offering to become slaves to the Vestals, and to bind themselves to the observance of perpetual chastity like them. This grace being refused, they murdered their children and themselves. To this romantic account it is added, that the *men*, for want of trees, upon which to hang themselves, made running knots upon their necks with cords, the ends of which they fastened to the horns, or feet of their cattle, and, driving the beasts forwards with goads, made a shift to get themselves strangled, or trodden to death. Nevertheless, 60,000 of them were taken prisoners ^b.

^b Thus *Plutarch*: but *Vell. Pat.* (l. ii. c. 2.) says, the number of the prisoners and the dead amounted to about 100,000; and he adds, that, by this victory, *Marius*, notwithstanding the mischiefs he afterwards did, hindered his country from wishing that he had never been born. *Entropius* (l. v. c. i.) tells us, that, in this important action, the *Romans* lost no more than 300 men. According to him, and the Epitome of *Livy* (l. lxxviii), 140,000 of the enemy were killed in this battle, and 60,000 taken prisoners.

It is reported, that *Marius* gave the freedom of *Rome* to 1000 men of the *Camertes*, a people of *Umbria*, in reward of

Chap. iii. *The Roman History.*

167

We are told (says *Plutarch*), that *Marius's* foldiers, though they carried off all the baggage, had taken only two standards, while *Catulus's* men brought thirty into their camp; and that, as a farther proof that this part of the army had the greater share in the victory, upon almost all the darts by which the *Cimbri* had fallen, was found inscribed the name of *Catulus*. Notwithstanding all this, the whole honour of the victory was, in after times, and is still, given to *Marius*. And, even when the event was recent, *Catulus* was thought sufficiently honoured, by being adorned (as *Juvenal* expresses it) with the second laurel-branch ^c.

At *Rome*, the People, on the night they received the news of the victory, began their suppers with libations to *Marius* as to a Divinity. They stiled him the *Third Founder* of *Rome*, and would have had him triumph, without the Proconsul's sharing with him in that honour. This, however, he refused; and the two Generals, after their return home, triumphed together.

their bravery in this war; and when it was afterwards remonstrated to him, that what he had done was illegal, he answered, that the din of arms had hindered him from hearing the voice of the laws. *Plut. in Apophthegm. and in Mar.*

^c *Hic* * tamen & Cimbros, & summa pericula rerum
Excipit, & solus trepidantem protegit urbem.
Atque ideo, postquam ad Cimbros, stragemque volabant,
Qui nunquam attigerant majora cadavera, corvi,
Nobilis ornatur lauro collega secundâ.

Juven. Sat. viii.

* *Marius.*

M 4

It

Y. R. 652.
Bef. Chr.
100.
351 Coni.

Plut. in
Mar.
Eutrop. l.
v. c. 1.
Plut. loc.
cit.

Val. Max.
l. viii. c.
15. § 7.
Plut. in
Mar.

Y. R. 652.

Plin. l.

xxxiii. c. 2.

Val. Max.

l. iii. c. 6.

§ 6.

Plut. in

Mar.

Cic. de

Leg. l. ii.

c. 11.

It is said, that, from this time, *Marius* never drank but out of a goblet, such as *Bacchus* was imagined to have used after his conquest of *India*. He likewise built a temple to Honour and Virtue; *Catulus* another, not to Fortune in general, but (in discharge of his vow) to the Fortune of this day (*Fortunæ hujusce diei*), meaning the day on which the *Cimbri* were vanquished: but the inscription was applicable to every day in the year ^e.

^e This year one *Publicius Malleolus*, for having murdered his mother, was sewed up in a sack with a dog, a cock, a viper, and an ape, and thrown into the river. *Vid. Aul. ad Herenn.* l. i. c. 13. *Cic. Orat.* c. 30. *Oros.* l. v. c. 16. This is the second instance, mentioned in history, of Parricide among the *Romans*. *Romulus* (says *Plutarch*) decreed no punishment for this crime, as being a wickedness he had never heard of; nor was there any example of it, till after the second *Punic* war: and, according to the Epitome of *Livy* (l. lxxviii.), if the reading be right, *Malleolus* was the first who was punished in the above manner. Hence some have thought, that the law against Parricide was enacted upon this occasion. But *Cicero* (*pro Rosc. Amer.* c. xxv.) commends the old *Romans*, as being wiser than *SOLON*; who had provided no punishment for Parricide. He calls those old *Romans* our ancestors (*maiores nostri*), which he would hardly have done, had they lived in his own time; and he was five years old, when *Malleolus* was condemned. Nor was that kind of punishment unknown to the *Romans* of the early times. *Plautus* mentions it in *Aulular.*; and *Val. Max.* (l. i. c. i. § 13.) tells us, that *Tarquin* ordered *M. Tullius*, one of the *Duumvirs* who had the care of the *Sibylline* books, to be sewed in a sack, and thrown into the sea, for giving a copy of a book, containing the *Secreta Civiliū Sacrorum*, to one *Petronius Sabinus*.

C H A P. IV.

The second SERVILE WAR in SICILY.

DURING the war against the *Cimbri* and their allies, the Republic had another war to maintain against the Slaves in *Sicily*^t. In the year 649 *Marius*, having obtained leave of the Senate to ask, from foreign states, assistance against the *Cimbri*, had sent to *Nicomedes*, King of *Bi-*

Y.R. 652.

Diod. Sic.
l. xxxvi.
ap. Phot.

^t Some commotions (soon suppressed) of the Slaves in *Italy*, had been the prelude to this *Sicilian* war. The most considerable of them had a *Roman Knight*, named *Vettius*, for its author. He had fallen desperately in love with a young slave, and bought her for seven talents, which he promised to pay at a certain time. The term elapsed, and he had not the money; for, though his father had been extremely rich, he himself had squandered away the inheritance by his extravagance; yet the bad state of his affairs was not publicly known. He requested, and obtained, of his creditor farther time; but, at the expiration of it, being still insolvent, and his creditor urgent, he took a mad and desperate resolution. He bought, upon credit, a great many suits of armour, armed his own slaves to the number of four hundred, assumed the diadem, the purple robe, all the marks of sovereignty, and proclaimed himself king. His first exploit was to seize and murder his importunate creditor. His forces increasing to seven hundred men, he fortified a camp to serve as an asylum for all that would join him. His army amounted to three thousand five hundred men, when *L. Lucullus*, then *Prætor*, with four thousand foot, and three hundred horse, came to an engagement with him, in which *Vettius* gained some advantage. But the *Prætor*, having afterwards found means to gain over *Apollonius*, whom *Vettius* had made his principal officer, the new King was betrayed, and reduced to kill himself. *Diod. Eclog. book xxxvi.*

thynia,

Y. R. 652.
Bef. Chr.
100.
351 Conf.

thynia, for recruits. The King excused himself, alledging, that a great number of his subjects had been forcibly carried away into slavery, by those who farmed the revenues of the Republic in the East. The complaint appearing to the Senate to be well grounded, they passed a decree, that no freemen of the *Roman* allies should in any province be treated as slaves, and that the Proconsuls and Prætors should take care that all such as had been injuriously forced into slavery, should be set free: in obedience to this decree, *Licinius Nerva*, Prætor in *Sicily*, gave liberty, in a few days, to above eight hundred slaves. The chief men of the island, foreseeing how much they should be losers, by the execution of this decree, addressed themselves to the Prætor, and begged of him to manumise no more of the slaves. *Licinius*, either prevailed upon by bribes, or desiring to ingratiate himself with the rich, would no longer listen to the complaints of such of the slaves as, having been forced into slavery, had recourse to him for redress. On the contrary, he gave them rough language, and sent them home to their masters. The slaves hereupon had recourse to arms. About 200 of them, having posted themselves upon a rock, fortified it, and defended themselves for some time against all the efforts of *Licinius*. At length he sent for one *C. Titinius*, who had been, some years before, condemned to death; but having escaped from punishment, now practised robbery. To this man *Licinius* promised pardon and protection, if, by his means, the slaves should be reduced. *Titinius*, with a
body

body of his associates, went over to the rebels, as if to spirit them against their enemies. Being well received by them, and, for his bravery, declared their General, he, soon after, betrayed them into the hands of the *Romans*. This insurrection, thus suppressed, was immediately followed by another. In a few days, the rebels amounted to 2000 men, and, after a victory which they obtained over a *Roman* detachment, their number increased to above 6000. They then chose themselves a King, one *Salvius*, a pretender to the art of divination by inspecting the entrails of animals. After some time spent in plundering the country, *Salvius* laid siege to *Morgantia*; and *Licinius* advanced with a view to relieve the place. But the rebels turned upon him, and, having the advantage of the ground, defeated him. Only 600 men of the *Roman* army fell in this action, but 4000 were taken prisoners: for *Salvius* had prudently proclaimed *Quarter* to all who should throw down their arms.

On the report of this victory, such multitudes flocked in to the rebels from all parts, that their army was doubled, and they renewed their attacks upon *Morgantia*, at the same time promising liberty to the slaves within the town. But, their masters making them the same promise, in case of victory, the slaves fought so bravely, that they forced the rebels to raise the siege. Nevertheless, *Licinius* annulled the promise made to those slaves, who thereupon went over to the enemy.

The

Y. R. 652.
Bef. Chr.

100.
351 Conf.

The contagion of rebellion spread itself to the territories of *Ægesta* and *Lilybæum*. *Athenio*, a *Cilician*, a pretender to divination by the stars, got together about 1000 of his fellow-slaves; and he, too, assumed the title of King. His army increasing to 10,000 able-bodied men (for he would not, like King *Salvius*, receive promiscuously all that came to him) he laid siege to *Lilybæum*, a place that was deemed impregnable. *Athenio*, after some time, became sensible of his error, and then, that he might quit his enterprize without dishonour, pretended, that the Gods had foretold him, by the stars, that if the army continued the siege, some sudden misfortune would certainly befall it. A fleet from *Mauritania*, with succours sent by King *Bocchus* to the *Romans*, happened to arrive at *Lilybæum*, just at the time when *Athenio* began to decamp; and those *Africans* landed soon enough to fall upon the rear of the rebel army, which suffered a considerable loss: but this loss was more than compensated to *Athenio* by the increase of credit which his astrological prediction gained him.

In the mean time *Salvius*, who had assumed the name of *Tryphon*, a name formerly borne by one of the Kings of *Syria*, chose *Triocala* for his place of residence. There he built a palace, fortified the castle (which was before very strong),

* *Triocala* (*quasi τρια καλα*) was so called, on account of three sorts of beauty which were there united: the strength of its situation (for it was built upon a high rock), springs of excellent water, and fruitful fields below.

and enlarged the town. From hence he sent, as King, a command to *Athenio* to come and join him with the forces he had collected. Contrary to all men's expectations, *Athenio* obeyed, and marched to *Triocala* with 3000 men: the remainder of his army he had dispersed over the country to pillage it, and to engage as many of the slaves as they could to take part with him. The two Generals, for some time, lived amicably together; but, at length, *Tryphon*, suspecting *Athenio* of a design to supplant him, caused him to be seized, and put under confinement.

The next year [650], *Licinius Lucullus*^b, who succeeded *Licinius Nerva*, in the Prætorship of *Sicily*, landed in the island with 17,000 men. On the news of their arrival, *Tryphon* released *Athenio*, and marched with him, at the head of 40,000 men, to meet *Lucullus*. The battle was long doubtful. *Athenio* fought with great bravery, but, having received three wounds, by two of which his legs were lamed, he at length fell among the dead. Hereupon the slaves lost courage, and took to their heels. Twenty thousand of them were slain; the rest, by favour of the night, escaped, with their King, to *Triocala*. *Athenio*, though grievously wounded, was not killed; in the dark, he made a shift to creep away, and join his companions. The rebels, much disheartened by their loss, held a counsel to deliberate upon the state of their affairs. Some pro-

^b Father of him who afterwards conducted the war against *Mitridates*.

Y.R. 652.
Bef. Chr.
100.
351 Conf.

Y. R. 652.
Bef. Chr.
100.
351 Conf.

posed *submission to their masters at discretion*; but the prevailing opinion was *to fight it out to the last*. *Lucullus* gave them time to recover themselves; for it was nine days after the battle, before he invested *Triocala*: and then the rebels made so resolute a defence, that they obliged him to quit the enterprize. Nor did the *Roman* General take any further measures to crush the rebellionⁱ: his only care was to enrich himself at the expence of his province. Of this, at his return to *Rome*, he was accused before the People, and found guilty.

Flor. l. iii.
c. 19.
Diod. Sic.
l. xxxvi.
ap. Phot.

The Prætor *Servilius*, who (in 651) succeeded *Lucullus*^k, had no success against the rebels. *Tryphon* was now dead: his successor, *Athenio*, always brave and enterprising, forced the *Roman* camp, took towns, and ravaged the country at pleasure.

Flor. loc.
cit.
Liv. Epit.
l. lxix.
Diod. Sic.
loc. cit.
Cic. v. in
Verr. c. 1.
Diod. Sic.
loc. cit.

In the present year (652), the fifth consulship of *Marius*, the Senate thought proper to commission his colleague *Aquilius* to conduct that war, in which three Prætors had been foiled. This new General applied himself chiefly to cut off the enemies provisions; nor does he seem to have offered them battle till the next year, when their number was considerably diminished. He then intirely defeated them in a general engagement, wherein, it is said, he fought hand to hand with

ⁱ According to *Florus* (l. iii, c. 19), *Athenio* took *Lucullus's* camp; nor does the historian mention any victory obtained, this year, over the slaves.

^k It would seem from *Florus*, that *Lucullus* was successor of *Servilius*.

Athenio,

Athenio, and killed him, after being wounded by him in the head. About 10,000 of the rebels escaped to their strong holds, where *Aquilius* afterwards destroyed them, chiefly by famine¹. A thousand still remained under a leader, named *Satyrus*, and these surrendered themselves. The Proconsul promised them pardon; but when he had transported them to *Rome*, he condemned them to fight with wild beasts. This they refused to do, and chose rather to fall by the hands of one another: *Satyrus* alone remaining, he ran upon his own sword, and was the last that perished on account of this rebellion, which had lasted four years. We are told, that in this, and the former *Servile War* in *Sicily*, a million of slaves were destroyed.

Y. R. 652.
Bef. Chr.
100.
351 Conf.

Athen. l.
vi. c. 12.

¹ *Florus* reports, that all those of the slaves who escaped from the battle, killed one another: only *Athenio* was by the Romans torn to pieces, through their eagerness to seize him.

C H A P. V.

The sixth Consulship of Marius, Year of Rome 653. The violences of Saturninus, Tribune of the Commons. Metellus Numidicus banished. Saturninus and his associates in sedition are crushed. Metellus is recalled by a decree made in 654, and returns in 655. Marius makes a voyage into Asia; has a conference there with Mithridates; and returns to Rome in 656.

The condemnation of Servilius Cæpio to banishment, in 658.

The trial and acquittal of his prosecutor, Norbanus, in 659.

Rutilius Rufus is maliciously prosecuted, and unjustly condemned to banishment, in 660.

Y. R. 653.
Bef. Chr.
99.

352 Conf.

Plut. in
Mar.
Rutil. ap.
Plut.

Liv. Epit.
l. lxix.

App. de
Bell. Civ.

l. i. p. 367.
In Brut. c.

lxii.

Plut. in

Mar.

App. loc.

cit.

AT Rome Marius had put up for a sixth Consulship, with more eagerness than was common in suing for a first. It is said, that on this occasion he bribed the People, and by the same means prevailed to have *L. Valerius Flaccus* chosen for his colleague, in opposition to *Metellus Numidicus*.

Saturninus was now Tribune of the Commons a second time. *A. Nomius* had been his competitor for that office, and had carried the election; but, in returning home, was murdered by him. Early the next morning, one of the Prætors, named *Glaucia*, whom *Cicero* calls *the most wicked man that ever lived*, assembled the Tribes in a furtive manner, and *Saturninus* was there declared

and
ship
out o
and c
was,
It v
Fulv.
whom
friend
no opp
he hac
nous,
being c
his abj
testatio
People
given t
Mithrid
for him
Vo

clared Tribune. Supported by *Marius* and *Glaucia*, he proposed a law, enacting, that the lands in *Gaul*, which the *Cimbri* had seized, should belong to the jurisdiction of *Rome*, and be divided among the People: that the Senate, within five days after the Law's being past, should give it the sanction of their authority, and swear solemnly to the observance of it; and that whatever Senator should refuse to take this oath, should be expelled the Senate, and pay a fine of twenty talents. We are told that the view of *Marius*, *Saturninus*, and *Glaucia*, who all joined their interest to promote the passing of this law, was to ruin *Metellus Numidicus*, who, they knew, would not take the oath proposed^a.

Y.R. 653.
Bef. Chr.
99.
352 Conf.

^a The Consul had long hated *Metellus*; and the Prætor and Tribune bore him no less enmity, because, in his Censorship (Year of *Rome* 650), he would have turned them both out of the Senate, for irregularity of conduct, if his colleague and cousin german, *Metellus Caprarius*, son of *Metellus Calvus*, had not hindered it.

It was about the same time (according to *Diod. Sic. apud Fulv. Ursin.*), that *Saturninus* insulted certain Ambassadors, whom *Mithridates* had sent to *Rome*, to engage to him the friendship of the principal Senators, that he might meet with no opposition from the *Romans* in the ambitious designs which he had formed against his neighbours. The crime was heinous, and the criminal, being prosecuted, was in danger of being delivered up to the King of *Pontus*. Nevertheless, by his abject supplications to the Populace, with tears, and protestations, that what he had done was from zeal for the People's interests, which required that no attention should be given to the Ambassadors, but rather a war declared against *Mithridates*, he procured such a numerous rabble to appear for him, that the Judges durst not condemn him.

Y.R. 653.
Bef. Chr.

99.
325 Conf.

App. p.
368.

Auct. de
Vir. Illust.
in Saturn.
App. loc.
cit.

Plut. in
Mar.

App. loc.
cit.

Saturninus, to carry his point, sent into the country to solicit the votes of the rustic Tribes, upon whom he chiefly depended ; because many belonging to those Tribes had served in the war under *Marius*. On the day when the Comitia met to determine concerning the Law, the Nobles and the Citizens opposed it with great vehemence, while the People from the country as zealously contended for it. The Citizens, finding their party the weaker, cried out, *It thunders* (an evil omen, which made it illegal to determine any thing in that Assembly). *Saturninus* answered with anger, *It will hail by and by, if you are not quiet*. A skirmish presently followed, in which, the country people having the advantage, the law, of course, was carried.

Then *Marius*, who had acted underhand in all this affair, assembled the Senate, and declared to them, that, for his part, he would never take so unjust an oath ; and that he did not think any wise man would : that, even supposing the law to be a good law, it was yet an affront to the Senate to compel them to give their approbation of it. This he said to entrap *Metellus*, who, he knew, would keep steady to whatever he should once deliver as his opinion. *Metellus* declared, he would never swear to observe the law in question, and the Senators, in general, made the same declaration.

On the last day allowed for taking the oath, the Consul, in the morning, having hastily convened the Senate, told them, that he was afraid of the People, who were zealous for the law ;
that,

that, therefore, he had thought, of an expedient; which was, to swear to maintain, and observe the law, *so far as it was a law*; and that afterwards it might easily be made appear, that a law which had been carried by force, and when it thundered, could be no law. This said, without waiting to hear the opinion of the Fathers, he went to the temple of *Saturn*, and, together with his friends, took the oath ^b. All the rest of the Senators, through fear, swore in their turns, except *Metellus*, who resolutely persisted in his opinion.

Y. R. 653.
Bef. Chr.
99.
325 Conf.

"To do ill (he said) in any circumstances, is the effect of a corrupt heart. To do well, when there is nothing to fear, is the merit of a common man: but to do well, when a man exposes himself thereby to the greatest dangers, is peculiar to the truly virtuous."

App. p.
369.

Plut. in
Mar.

Next day, an officer having, by *Saturninus's* order, arrested *Metellus*, and brought him from the Senate-house before the *People*; and the Tribune having represented to the Assembly, that they must never hope for the execution of the law in question ^c, so long as that Senator re-

App. loc.
cit.

^b *Plutarch* says nothing of the Consul's assembling the Senate a second time. The historian tells us, that when *Saturninus* summoned the Senators before the People to take the appointed oath, *Marius* said, that he had not the presumption to depend upon one deliberation in an affair of such consequence; that therefore he would swear, and would obey the law, it was a law.

^c *Saturninus* obtained likewise another law, for allotting 100 acres of land in *Africa* to each of *Marius's* veteran soldiers.

Ant. de Vir. Illust. in Saturn. [This writer, however, seems

Y. R. 653.
Bef. Chr.

99.
352 Conf.

Plut. in
Mar.

mained in the city, they, by a decree, condemned him to banishment.

By the same decree the Consuls were ordered to make an edict, forbidding all the subjects of the Republic to receive him; and one day's time only was allowed to the Senate, for coming to a determination. Many persons flocked to him, and offered to defend him by force; but he would not consent that his Country should be involved in a civil war on his account. He chose to leave the City: *Affairs, said he, will change, and I shall be recalled: or, if they continue in*

to refer the law in question to the first Tribuneships of *Saturninus*]. One of the Tribunes, named *Bæbius*, opposed the passing this Law, but the People drove him with stones from the Rostra. Another law of *Saturninus* enacted, that Roman colonies should be planted where the People pleased in *Sicily, Achaia, and Macedon*: that the gold, which *Cæpio* had brought from *Toulouse*, should be laid out in the purchase of lands, and that *Marius* should have the privilege to make three Roman citizens in each colony; but these colonies were never planted. *Cic. pro Balb. c. 21.*

The Tribune likewise proposed to make a distribution of corn amongst the People at a low price. *Cæpio*, who had been formerly Consul, and condemned for his misconduct in the *Cimbrian* war, was now Quæstor Urbanus [he, probably, sued for public offices, that he might be raised again to his former rank and privileges]. Upon his representing to the Senate, that the treasury could not bear the expence of purchasing the corn required, the Conscript Fathers decreed, that *Saturninus* would act contrary to the good of the state, if he brought the law in question before the People. The Tribune, nevertheless, proposed the law, and, though some of his colleagues interceded, he ordered the urns for balloting to be brought out. Hereupon *Cæpio*, with a croud of people attending him, broke down the bridges, overset the urns, and, by force, hindered the law from passing. *Aust. ad Heren. l. i. c. 12.*

their

Chap. v. *The Roman History.*

181

their present state, it is more desirable to be absent. The safety of his country (says Cicero) was dearer to him than the sight of it; and he chose rather to depart from the City, than from his opinion. Wherever he went, he received great marks of respect and esteem, and, at length, fixed his residence at *Rhodes*, where he applied himself to the study of philosophy.

Saturninus now aimed at a third Tribuneship, and *Glaucia* to be Consul for the next year, though the laws required two years interval between bearing the office of Prætor and that of Consul. *Marius*, to make his court to both parties, pretended to each to be in their interest, privately incensing one against the other, that he might bring them both into a dependence upon himself. It is said, that, the principal men of the Senate having applied themselves to him to persuade him to defend the State against the enterprises of *Saturninus*, he, at the same time, received *Saturninus* into his house, by another door: and, pretending an indisposition, that obliged him to go frequently out, he went to and fro from one apartment to the other.

Not content with pursuing his own ambition, *Saturninus* had the insolence to present, as a candidate for the Tribuneship, *Equitius*^a, who called

^a He had before attempted to get this *Equitius* acknowledged for the son of *Tiberius*, and, as such, put upon the register of the Roman citizens. *Metellus Numidicus*, who was then one of the Censors, refused to receive him, affirming, that all the sons of *Tiberius Gracchus* (who had but three) were dead. *Sempronia*, the sister of *Tiberius*, when brought into an assembly of the People, by one of the Tribunes, that

Y. R. 653.

Bef. Chr.

99.

352 Conf.

Pro Balb.

c. 5.

Liv. Epit.

l. lxxix.

Plut. in

Mar.

Auct. de

Vir. Illust.

in Saturn.

App. p.

369.

Y. R. 653.
Bef. Chr.
99.
352 Conf.

Val. Max.
l. ix. c. 7.
§ 1.
App. de
Bell. Civ.
l. i. p. 369.

himself *Gracchus*, and pretended to be a son of the famous *Tiberius Gracchus*; but was indeed of the dregs of the People.

On this occasion *Marius* thought proper to interpose his authority, and to send the candidate to prison: notwithstanding which, the faction of *Saturninus* prevailed. They broke open the prison-doors, carried *Equitius* upon their shoulders to the voting place, and declared him Tribune, together with *Saturninus*.

On the day of election of Consuls for the new year, *M. Antonius*, the famous orator, was chosen without difficulty or opposition. *Glaucia* had for his competitor *C. Memmius*, a man of distinction, and probably the same who, in his Tribuneship, had caused *Jugurtha* to be brought from *Africa* to *Rome*. The Prætor and *Saturninus*, apprehending a defeat, employed their assassins to dispatch *Memmius*: and they knocked him on the head in the Forum, in the presence of all the People. Upon this outrage, the assembly broke up tumultuously, and *Saturninus* went to his own house, attended by *Glaucia*, the Quæstor *Saufeius*, the false *Gracchus*, and a multitude of the rabble. It is reported (by *Florus*), that these saluted him King. The Senate met and passed a decree, *that the Consuls should take care that the Republic received no detriment*. This invested these Magistrates with an absolute

Orat. l. v.
c. 17.

App. de
Bell. Civ.
l. i. p. 369.
Cic. pro C.
Rabir. c. 7.
Liv. Epit.
l. lxi.

she might own the impostor for her nephew, had absolutely disowned all relation to him, and expressed a contempt of him. *Val. Max.* l. ix. c. 7. § 2. *Id.* l. iii. c. 8. § 6. *Auct. de Vir. Illustr. in Saturn.*

power;

power; and *Marius*, who could now no longer protect his old friend, besieged him in the Capitol, whither he and his followers had retired in arms. The Consuls were supported by all the Prætors except *Glaucia*, all the Tribunes except *Saturninus*, the whole Senate, the whole order of Knights, and the best men of the People. The more easily to quell the sedition, they cut the pipes which conveyed water into the Capitol. In this extremity, the Quæstor *Saufeius* proposed setting fire to the place; but *Saturninus* and *Glaucia*, depending upon *Marius's* friendship, surrendered themselves on the public faith, which *Marius* pledged to them for their safety. This, according to *Cicero*, the Consul had no right to do, without a decree of the Senate. Be that as it will, all the leaders of the sedition were massacred * by the enraged multitude that same day, the 5th of *December*, which was the very day the Tribunes entered upon their office.

Y. R. 653.
Bef. Chr.
99.
352 Conf.

Cic. loc.
cit. & in
Cat. orat.
i. c. 2.
Plut. in
Mar.
App. loc.
cit.
Cic. pro C.
Rabir. c.
10.

* According to *Vell. Pat.* (l. ii. c. 12). *Marius* shut up the chiefs of the party in the Senate-house, and there had them put to death. *Appian* (l. i. p. 370) tells us, that the People, thinking, that *Marius* intended to screen them from punishment, got upon the top of the building, pulled off the tiles, and with these knocked the prisoners on the head. *Orosius* (l. v. c. 17). says, the Roman Knights broke open the Senatehouse, and killed them. Others affirm, that *Saturninus* was killed by *Rabirius*, a Roman Knight; but *Cicero* (*pro Rabir.* c. 2.) defending him, when arraigned for this very crime, says, that *Scæva*, a slave of one *Q. Croto*, killed *Saturninus*. The same author tells us, that *Marius* put to death the Prætor *Glaucia*, though he was not named in the decree of the Senate. *Cic.* 3 in *Cat.* c. 6.

Y. R. 653.
Bef. Chr.

99.
352 Conf.

Orof. l. v.

c. 17.

Dio. Caff.

ap. Val.

p. 638.

App. de

Bell. Civ.

l. i. p. 370.

It would seem that, immediately after suppressing this sedition, *Cato* and *Pompeius*, two of the Tribunes, presented a petition to the People for the repeal of *Metellus's* banishment: one of their colleagues, *P. Furius*, the son of a freed-man, and whom *Metellus*, in his Censorship, had degraded from the rank of a *Roman Knight*, opposed the request: nor would he be prevailed upon to desist from his opposition, though the son of *Metellus*, in presence of all the People, fell down upon his knees, and begged it of him with tears; a behaviour which occasioned his bearing afterwards the surname of *Pius*.

Y. R. 654.
Bef. Chr.

98.
353 Conf.

Jul. Obseq.

l. xliiv.

In the magistracy^b of *M. Antonius* and *A. Posthumius Albinus*, Consuls for the year 654, *Sex. Titius*, one of the Tribunes, proposed a law for dividing some lands amongst the People, and, on this occasion, had no regard to the *intercession* of his colleagues: nevertheless he was obliged to desist from his enterprise, because two crows, flying over the Comitia, had fought with their beaks and claws; and the *Augurs* had thereupon declared that the law must be dropt, and sacrifices be offered to *Apollo*.

This *Titius*, when out of his office, was prosecuted before the *Roman Knights*, and condemned to banishment, for having in his house a picture of *Saturninus*; an act of rigour justified by *Cicero*.

Cic. pro
Rabir. c. 9.

^b In this Consulship was born, at *Rome*, *Julius Caesar*, on the fourth of the Ides, i. e. the twelfth of the month *Quintilis*, afterwards, from him, called *July*.

Furius

Furius, likewise, who had opposed *Metellus's* return, was, after the expiration of his office, accused of treason by *Canuleius* and *Decianus*, two of the Tribunes. The enraged People, without so much as hearing his defence, tore him in pieces. And because *Decianus*, in a speech on that occasion, lamented the death of *Saturninus*, he was, next year, brought to a trial and banished, though a very worthy man, according to *Valerius Maximus*.

The times now favoured *Metellus Numidicus*. At the motion of the Tribune *Calidius*, he was, with the universal consent of the People, recalled from banishment. At his return to *Rome*, the whole city went out to meet him, and the day was not sufficient for receiving the congratulations of the Senate and the rest of the Citizens.

Plutarch reports, that *Marius*, to avoid seeing the return of *Metellus*, set out, before that time, on a voyage to *Asia*, under pretence of discharging a vow he had made to *Cybele*, the mother of the Gods. If so, *Metellus* did not arrive in *Italy* till the year 655, for we find *Marius* at *Rome* in that year, being the Consulship of *Q. Cæci-*

Metellus, at this time, resided at *Tralles* in *Lydia*: letters to inform him of his recall, were brought to him, while present at the celebration of some games: he deferred reading them till the shew was over. No emotions were discovered by his looks. "Banished, or recalled (says *Val. Max.*), he had the same serenity of countenance; the same firmness and steadiness of soul in both fortunes: " *Eundem constat pari vultu & exsulem fuisse & restitutum: adeo moderationis beneficio, medius semper inter secundas & adversas res animi firmitate versatus est.* *Val. Max. l. iv. c. 1. § 13.*

Y. R. 654.
Bef. Chr.
98.

353 Conf.

App. loc.
cit.

Dio. Cass.
ap. Val. p.
637.
Cic. pro
Rabir.
c. 9.

Val. Max.
l. viii.
c. 1.
Cic. pro
Planc.
xxviii.

App. de
Bell. Civ.
l. i. p. 370.
Plut. in
Mar.

Y. R. 655.
Bef. Chr.
97.
354 Conf.

lius

Y. R. 655.

Cic. pro

Dom. c.

16.

Id. pro

Dom. c.

20.

lius Metellus Nepos, and *T. Didius*. These Consuls, in the beginning of their administration, obtained the enacting of two laws; the first, to revive an old custom now fallen into neglect, viz. That of notifying to the People three market-days (that is, twenty-seven days) before hand, the purport of any law that was to be proposed to the Comitia. The second, that if the law consisted of several articles, the People might be free to separate them, and reject those which they did not approve, while the sanction of their authority was given to the rest.

Cic. de Orat. l. ii. c.

45, 47. &

in Ver. v.

c. 1. & pro

Flacc. c.

39.

Quintil.

Institut. l.

iii. c. 16.

Aquilius, who had been colleague to *Marius* in his fifth Consulship, and had compleated the reduction of the rebel Slaves in *Sicily*, was now brought to trial, on the charge of grievous extortion in that province. *Antonius*, Consul of the last year, undertook the defence of the accused, and, because the facts were too clear against him to be disputed, confined himself wholly to move compassion in the Judges. That the orator was a perfect master of the pathetic, may be thought sufficiently proved by this, that he drew tears even from *Marius*, who was one of the bench.

Val. Max.

l. ii. c. 9.

§ 5.

A certain Tribune of the People, named *Duronius*, repealed, this year, one of the sumptuary laws; [*legem de coercendis conviviorum sumptibus latam*]. On this occasion, *Duronius* made a speech, of a very extraordinary tenour, to the People,

N. B. This does not very well accord with what *Sallust* reports of his temper and behaviour, on occasion of *Marius's* being appointed to succeed him, in the conduct of the *Numidian war*. See above, p. 106.

from

from the Rostra. " Restraints have been imposed upon us, *Romans*, which are not to be endured: we are fast bound in the galling chains of servitude: a law was enacted, nay, is still in force, to confine the expences of our tables. What a twang of antique rusticity! we abrogate, we annul that law: for what is a man's liberty, who is not free to ruin his fortune by costly entertainments, if it be his pleasure so to do?"

During the wars with the *Cimbri* and with the Slaves of *Sicily*, the *Romans* sent no forces into *Spain*: they only sent Ambassadors thither, from time to time, to prevent, if possible, all matter of quarrel. But now they ordered the Consul *Didius* into that country with an army. *Sertorius* accompanied him thither, in quality of Legionary Tribune. The Consul fought a battle, successfully, with the *Vaccæi*; and, afterwards, forced the People of *Terminus* to abandon their town, which was strongly situated, and live in a plain, where they had neither walls, nor fortifications. He then reduced

Y. R. 655.
Bef. Chr.

97.
354 Conf.

App. in
Iber. p.
311.

Plut. in
Sertor.

* *Frontinus* (Stratag. l. ii. c. 10. § i.) tells us, that *Didius* fought a great battle in *Spain*; that, night having put an end to it, the *Roman* General then caused the greatest part of his dead soldiers to be buried; and that the *Spaniards*, the next day, seeing more of their own people slain, than of the enemy, they concluded themselves vanquished; and submitted to the conditions of peace imposed by *Didius*. According to the Epitome of *Livy* (l. lxx.) *Didius*, when Proconsul, fought successfully against the *Celtiberians*. Whether these battles are the same, or different from what are related in the text, on the authority of *Appian*, is uncertain.

Colenda,

Y. R. 655.
 Bef. Chr.
 97.
 354 Conf.

Colenda, after a siege of nine months, and sold the inhabitants for slaves. Not far from this town, was a colony of *Celtiberians*, to whom, for their services against the *Lusitanians*, *Marius*, by authority from the *Roman* Senate, had granted some lands for a possession. It is pretended, that these *Celtiberians*, being poor, lived by robbery; and, for this, *Didius*, under pretence of dividing the territory of *Colenda* among them, decoyed them to his camp, and there caused them all to be massacred, men, women, and children. For these exploits he had a triumph.

Plut. in
 Sertor.

In the winter, *Sertorius* being quartered at *Castulo*, a city upon the *Bætis*, the debauchery and licentiousness of his soldiers, provoked the inhabitants to conspire with their neighbours, the *Gyrifæni*, to surprize the *Romans*, and put them to the sword. The *Gyrifæni* were accordingly admitted in the night. *Sertorius* made his escape, and rallying those of his men, who had likewise escaped, fetched a compass, re-entered the city, by the same gate, whereat the *Gyrifæni* had been admitted, and where the inhabitants had neglected to post a guard. Townsmen and strangers he put all to the sword, and then, making his soldiers cloath themselves in the habits of the *Castulonians*, and *Gyrifæni*, led them straight to the city of the latter, where, being mistaken for *Spaniards*, and admitted as such, they slew a great number of the inhabitants, and sold the rest for slaves.

It

It appears by the *Capitoline* tables, that the *Roman* arms prospered this year in further *Spain*, under the conduct of *Cornelius Dolabella*, and that he had a triumph for his exploits ^h.

Y. R. 655.

In the following Consulship of *C. Cornelius Lentulus* and *P. Licinius Crassus* (father of the Triumvir), the Senate, by a decree, prohibited human sacrifices, which, according to *Pliny*, had, till that time, been openly practised: nor was the practice yet totally abolished at *Rome*, if we may believe *Dio Cassius*, who mentions two men being sacrificed in the *Campus Martius*, in the times of *Julius Caesar*.

Y. R. 656.
Bef. Chr.

96.
355 Conf.

Plin. l.
xxx. c. 31.
Dio. Cass.
l. iv. p.
226.
Plut. in
Mar.

Marius was now returned from *Asia*. Though he had made the performance of a vow to *Cybele* the pretence for his voyage thither, his real design (according to *Plutarch*) had been to kindle a war in *Asia*, and particularly with *Mithridates*, King of *Pontus*, who, of all the potentates there, seemed the most disposed thereto.

As *Marius* had not the talents necessary to make a considerable figure in time of peace, his reputation among the People declined daily, and he therefore wanted to be again at the head of an army, that he might fill *Rome* with the fame of his achievements, and his house with the spoils of *Pontus*. He arrived at the court of *Mithridates*, and was treated by him with great civility and marks of esteem; yet was not thereby

^h All the barbarous nations bordering upon *Macedon* (except a people called the *Denfeleri*) seem to have been up in arms, about this time, against *Rome*: but the particulars of this war are not transmitted to us. *Cic. in Pis. c. 34.*

induced

Y.R. 656.
Bef. Chr.
96.
355 Conf.

induced to soften, in any degree, the harshness of his wonted manner : bluntly and dryly he said to the monarch, *There is no medium, you must either find a way to become more powerful than the Romans, or you must quietly obey their commands.* This discourse astonished *Mithridates*, who, though he had often heard of the *Roman* haughtiness, had never made trial of it before.

Val. Max.
l. ii. c. 9.
§ 5.

Marius, on his return to *Rome*, finding himself neglected, like a weapon of war in time of peace, would not venture to stand for the Censorship, though his ambition carried him to aspire to that office. He gave out, that he did not choose to offend people, by a strict search into their lives and conduct. *Rome* bestowed that Magistracy on *L. Valerius Flaccus*, and *M. Antonius*, the orator : and these Censors struck *Duronius's* name out of the list of the Senators, for having repealed the sumptuary law before-mentioned.

Jul. Obseq.
c. 46.

We learn from *Julius Obsequens*, that the *Romans* fought successfully this year against the *Dardani* and the *Medi*, a people inhabiting the countries now called *Servia* and *Bosnia*.

Y.R. 657.

Ptolemy Apion, King of *Cyrene*¹, dying in the year of *Rome* 657, when *Cn. Domitius Ænobarbus* and *C. Cassius Longinus* were Consuls, bequeathed

¹ In this country grew the best *Laserpitium*, or *Silphium*, the juice of which, when brought to a consistence, was worth its weight in gold. *Pliny* (l. xix. c. 3.) tells us, that the Publicans destroyed all the *Laserpitium* in *Cyrenaica*, by feeding their cattle with it, having experienced that it not only fattened them exceedingly, but gave their flesh a fine

his dominions, by will, to the *Romans* ^k, which he had no right to do. *Cyrene* had formerly belonged to *Egypt*, but *Ptolemy Physcon*, successor to his brother *Philometor*, in the throne of that kingdom, had, at his death, left the province of *Cyrene* to *Apion*, his son by a concubine: but this partition of the kingdom was to cease upon the death of *Apion*.

Y. R. 657.
Bef. Chr.
95.
356 Conf.
Liv. Epit.
l. lxx.

The Consular fasces being trasferred to *L. Licinius Crassus* the orator, and *Q. Mucius Scævola* the most able lawyer of his time; these Magistrates got a law enacted, which, *Cicero* says, was, in the opinion of all men, very prejudicial to the Republic. Many of the *Italians*, though not really *Roman* citizens, acted as if they were entitled to the privileges of citizenship. The new law imported, that no man, who could not produce a just title to *Roman* citizenship, should be admitted to act as such; and that even those, who were born at *Rome*, if they had no other claim to citizenship, should be sent into the countries of their respective families. This law so much offended all the *Italians*, that it proved one of the chief causes of the Social war, which broke out about three years after.

Y. R. 658.
Bef. Chr.
94.
357 Conf.
Cic. pro
C. Corn.
Orat. 1.
& Aſcon.
in loc.
Cic. de Of-
fic. l. iii.
c. 11.

It is uncertain what province fell to *Scævola*, but, it is probable, there was nothing to do in

Y. R. 658.

taste: but *Strabo* says, that the *Numidians*, invading that country, pulled up all the *Laſerpitium* by the roots. Lib. xvii. p. 837.

^k The *Romans* declared the cities of *Cyrenaica* free, and did not reduce this country to the form of a province, till the time of *Sylla*.

it,

Y. R. 658.
Bef. Chr.

94.

357 Conf.

Ascon. in
Orat. in
Pif.

Cic. in Pif.
c. 26.

Id. de In-
vent. l. ii.

c. 37.
Ascon. loc.
cit.

it, seeing he gave it up, that he might not put the public to expence.

His colleague *Crassus*, less frugal and more ambitious, searched the *Alps* (says *Cicero*), to find a triumph where no enemies were to be found. At length he met with a gang of robbers, who had no certain leader; and who, neither by their reputation, nor their numbers, were worthy to be called enemies of the *Roman* people. Those robbers he reduced, and for this exploit he demanded a triumph at his return to *Rome*. The Senate, out of regard to his dignity and authority, were going to grant his request, when his colleague interposed, and forbad the decree to pass.

Y. R. 659.
Bef. Chr.

93.

358 Conf.

Under the following administration of *L. Domitius Ænobarbus* and *C. Cæcilius Calvus*, *P. Sulpicius*, a young man famous for his eloquence, accused *Norbanus* before the *Roman* Knights, for a tumult he had raised the last year, when Tribune, on occasion of the trial of *Cæpio*; the same *Cæpio* who, in 648, had been deposed from the Proconsulship, for his misconduct in the *Cimbrian* war. One of the crimes, now laid to *Cæpio's* charge, was his riotous opposition to a law of *Saturninus*, for distributing corn to the people at a low price. The chief men of the Senate interested themselves for the accused; the Consul *Crassus* pleaded his cause, and two Tribunes of the Commons interposed their authority: but *Norbanus*, having inflamed the multitude, they drove away his opponents with stones, wounded *Æmilius Scaurus*, President of the Senate, and condemned *Cæpio* to banishment.

Cic. de O-
rat. l. ii.
c. 47, 48.

1 Rut
with M
Scaurus
having
Rutilius
Brut. c.

VOL

nishment. *Norbanus's* crime was heinous, the proofs clear, the parties against him strong, but nothing could resist the eloquence of *M. Antonius*, who undertook his defence. He gave such colours to actions, truly unjustifiable, that the Judges, men of great probity, according to *Cicero*, absolved the criminal, without thinking they dishonoured themselves.

Y. R. 659.

In the following Consulship of *C. Valerius Flaccus* and *M. Herennius Sylla*, who, the last year, had, without success, stood for the Prætorship, now, partly by a popular behaviour, partly by the help of money, got himself chosen to that office, though he had not passed through the *Edileship*. We are told that *Cæsar Strabo*, a man of a facetious wit, to whom the new Prætor, on occasion of some quarrel, had said, in a threatening manner, *I shall use the power of my office*; answered him, laughing, *Right; it is YOUR office indeed*; for you bought it, and paid for it.

Y. R. 660.
Bef. Chr.
92.
359 Conf.

Plut. in
Sylla.

*P. Rutilius Rufus*¹, who had assisted *Scævola* in correcting the abuses committed by the Publicans in *Asia*, and whom the ancient historians represent as one of the best men in *Rome*, was accused before the *Roman Knights* of extortion in that very province. *Rutilius* would neither sup-

Cic. de Orat. l. i.
Pro Planc.
c. 21.
In Brut.
c. 30.
Pro Font.
c. 13.
In Pis. c.
39.
Vell. Pat.
l. ii.
Liy. Epit.
l. lxx.
Dio. Cass.
ap. Vales.
p. 637.
Val. Max.
l. ii. c. 10.
§ 5.

¹ *Rutilius* had formerly stood competitor for the Consulship with *M. Æmilius Scaurus*, the President of the Senate; and *Scaurus* having carried the election, *Rutilius* accused him of having bribed the voters. *Scaurus*, being acquitted, accused *Rutilius* of the same crime, with little success. *Cic. in Brut. c. 30. and de Orat. l. ii. c. 69.*

Y. R. 660.
Bef. Chr.

92.
359 Conf.

Senec. de
Benef. l.
vi. c. 13.

Val. Max.
l. vi. c. 4.
§ 4.

plicate his Judges, nor change his habit, nor employ the eloquence of *Antonius* or *Crassus* to plead his cause; but spoke for himself, plainly and simply, without having recourse to any of the arts of oratory; yet he suffered his nephew *Cotta*, and *Q. Scævola*, to whom he had formerly been Lieutenant, to say something in his favour. The Judges, in revenge of his having abridged the profits of the Publicans, who were generally *Roman* Knights, condemned him to banishment, and confiscated his effects; which did not prove sufficient to pay the fine imposed upon him; a striking proof of his innocence. And *Dio* says, that his papers sufficiently attested his just title to all he possessed. In his exile, he lost nothing of his affection for his native country. When somebody, to comfort him, intimated to him, that a civil war was going to break out, and he would then be recalled, he answered, *What harm have I done you, that you should wish me to return to my country, with more sorrow than I left it?* He might have returned, after the victories of *Sylla*, who invited him home, but he chose rather to continue in exile: perhaps, he was unwilling to be an eye-witness of *Sylla's* tyranny: for that he was a truly honest man, may be well presumed from another particular related of him. One of his friends having asked of him an unjust thing, and being so much offended at his refusal, as to say to him, with indignation, *Of what advantage is your friendship to me, if you will not do what I desire of you?* *Rutilius* answered, *And of what value*

Chap. v. *The Roman History.*

195

*value is yours to me, if I can preserve it only by
base actions* ^m ?

Y. R. 660.
Bef. Chr.

92.
359 Conf.

^m According to *Eusebius*, the poet *Lucretius* was born in the second year of the 171st Olympiad, which answers to this year of *Rome* 660. The same author writes, that *Lucretius* was mad: a distemper brought upon him by a filtre: that he wrote some books of his poem in his lucid intervals (which books *Cicero* afterwards corrected), and that he killed himself in the forty-fourth year of his age. *Euseb. Chron. L. Poster. ap. Scaliger. p. 150.*

C H A P. VI.

Sylla (in 661) is sent into Asia, to check the ambition of Mithridates, King of Pontus. The genealogy, early adventures, and enterprises of this Monarch.

Y. R. 661.
Bef. Chr.
91.
360 Conf.

THE next year, when C. Claudius Pulcher and M. Perperna were Consuls, Sylla had commission from the Senate to go into Asia, and there replace, on the throne of Cappadocia, Ariobarzanes, who had been driven thence by Mithridates, furnamed Eupator, King of Pontus^a.

^a He was descended from a long series of Kings, who had reigned in Pontus before him. The first of them was one of those seven Princes, that slew the Magians, and settled the kingdom of Persia on Darius Hystaspes, and, having obtained the sovereignty of this country, transmitted it to his posterity, through sixteen generations; Mithridates Eupator being reckoned the sixteenth from him. Polyb. l. v. p. 388. Florus, Diod. Sic. Aurel. Vi&. Appian.

1. The first of these, of whom we find a name in history, is that Mithridates, who, dying in the year before Christ 363, was succeeded by his son. [Diod. Sic. l. xv.]

2. Ariobarzanes (then Governor of Phrygia for Artaxerxes Mnemon, King of Persia), who, having reigned twenty-six years, was succeeded by his son.

3. Mithridates, the second, in the year (before Christ) 337. — On his death he was succeeded by his son,

4. Mithridates, the third, who, having very much enlarged the kingdom of Pontus, by new acquisitions, was reckoned as the founder of it, and therefore is, by historians, called *Ktistes* (i. e. the Founder). He reigned in Pontus thirty-six years, and, on his death, which happened in the year 266, left his kingdom to his son, Ariobarzanes.

Diod. Sic.
l. xx.
Strabo, l.
xii. 562.
Appian.
Diod. Sic.
l. xx.

This

This *Mithridates* (who struggled long with the Romans for the empire of *Asia*) had ascended the throne at eleven or twelve years of age. It is said, that, during his minority, his tutors attempted to destroy him, by mounting him on a fiery horse unbroken; a danger he escaped by his address: that they afterwards plotted to poison him, but that he, aware of their design, guarded himself against it by excellent antidotes: and it is added, that the frequent use of these gave him a constitution proof against the most deadly poison. He applied himself to the study of physic, and grew fond of being thought skilful in that art; insomuch, that his courtiers, to humour his vanity by a servile complaisance, used to slash, or burn themselves, in some part of their bodies, on purpose to give him an opportunity of shewing his skill in the cure. To secure himself from assassination, he pretended to be extremely fond of hunting, and (if we may believe *Justin*) was seven years without sleeping a night in any house; he lay in the mountains, and seldom in the same place. This manner of life rendered him robust, hardened his body against the changes and inclemency of the seasons, and prepared him to sustain all the fatigues of war. During his nonage, the Romans took from him the *Greater Phrygia*, which they had assigned to his father, as

Y. R. 661.

Strab. l.
x. p. 478.
Just. l.
xxxvii. c.
2.

Plut. de
Adulat. &
Amic.
discrim.

Justin. l.
xxxvii.
c. 3.

Vid. Vol.
VI. B. vi.
c. 8. Y. R.
612.

Plut. in
Demetr.
Appian.

Vid. Pri-
deaux.

From this *Mithridates the Founder*, *Mithridates Eupator* was the eighth: but of these history furnisheth us with the names only of six, and these are, 1. *Mithridates Ktistes*. 2. *Ariobarzanes*. 3. *Mithridates*. 4. *Pharnaces*. 5. *Mithridates Evergetes*. 6. *Mithridates Eupator*.

Y.R. 661.
Bef. Chr.
91.
360 Conf.

Just. l.
xxxviii.
c. 5.
App. in
Mithridat.
p. 180.

the reward of his services in the war with *Aristonicus*, and to which he had pretensions of an earlier date, it having been given to his great grandfather by *Seleucus Calinicus*.

Among the first acts of his reign, he put to death not only his guardians, but his mother and his brother. After this, he formed vast projects for enlarging his dominions °. He subdued a great part of *Scythia*, all *Colchis*, and the adjoining countries, and obliged the *Thracians*, the *Bastarnæ*, the *Sarmatæ*, and all the nations

° The state of *Asia*, at this time, is thus represented by M. Crevier.

The Romans possessed *Asia*, properly so called, that is, the kingdom of *Pergamus*, which had been left them by the will of *Attalus Philometor*, and conquered by them from *Aristonicus*.

Nicomedes Philopator, son of *Prusias*, reigned in *Bithynia*.

Paphlagonia had long had its Kings, whose common name was *Pylæmenes*. As it was situated between the dominions of the Kings of *Pontus* and *Bithynia*, it had suffered much from those two powerful neighbours; and its ancient Kings seemed to have been reduced very low, from the time of *Mithridates Evergetes*.

Next to *Paphlagonia*, along the coast of the *Euxine* sea, was the kingdom of *Pontus*.

Cappadocia was under *Ariarathes*, the son of another of that name, who died in the service of the Romans in the war with *Aristonicus*.

Galatia was divided between several tetrarchs.

But all these states, and the other parts of *Asia Minor*, without being immediately under the Roman sway, respected their greatness, and in a manner received the law from them. Especially when any troubles or quarrel arose, between the Princes, or States of those countries, the Romans did not fail to make themselves the arbitrators of them, and their opinion amounted, in effect, to a command. Crev. vol. X. book xxxii.

on the *Tanais*, the *Palus Mæotis*, and at the mouth of the *Danube*, to enter into alliance with him, and assist him with their forces. Y. R. 661.

It is said, that, elated with his victories, he proposed to himself nothing less than the conquest of all *Asia*; and that, with this view, he privately left his court, and, attended by a few of his friends, went over all that continent, in order to know the strength of the towns and fortresses. But, perhaps, this story was invented to make the King appear, in some sort, the aggressor in the war, which he afterwards sustained against the *Romans*. Justin. l. xxxvii. c. 3.

At his return home, his wife *Laodice*, who, in his absence, had been unfaithful to him, conspired with her lovers to take him off by poison: both crimes being discovered by a slave, the King put her, and her accomplices, to death.

After this, he leagued himself with *Nicomedes*, King of *Bithynia*, and son of *Prusias*; in consequence of which they made themselves masters of *Paphlagonia*. *Pylæmenes*, King of that country, having complained at *Rome*, the Senate, by their Ambassador, ordered the two Kings to restore what they had usurped. *Mithridates* (says *Justin*), thinking himself a match for the *Romans*, returned for answer, that *Paphlagonia* had fallen to his father by inheritance, who having never been blamed for claiming it, it was wonderful, that the same claim should be considered as a crime in the son. But the historian, afterwards, tells us, that the King obeyed the decree of the Senate. Id. ib. c. 4.

Y. R. 661.
 Bef. Chr.
 91.
 360 Conf.

The *Bithynian* promised to restore his share of *Paphlagonia* to *Pylæmenes* the lawful King; and, by way of fulfilling his promise, proclaimed his own son King of that country, by the name of *Pylæmenes*.

This affair had no important consequences: but the enterprizes of *Mithridates* upon *Cappadocia* produced an open rupture between him and the *Romans*.

Justin. l.
 xxxviii.
 c. 1.

Ariarathes, King of *Cappadocia*, had married *Laodice*, the sister of the King of *Pontus*, and by her had two sons. *Mithridates*, nevertheless, that he might possess himself of *Cappadocia*, not only contrived, by the means of one *Gordius*, to get *Ariarathes* assassinated, but formed the design of destroying those sons of his own sister. Before he could execute this project, *Nicomedes*, King of *Bithynia*, seized the vacant throne of *Cappadocia*. Hereupon *Mithridates*, pretending to espouse the interest of his nephews, sent succours to his sister *Laodice*, in order to expel the usurper: but the Queen had already married him.

The King of *Pontus*, much displeased with these tidings, marched an army into *Cappadocia*, drove out *Nicomedes*, and placed the elder of *Laodice's* sons upon the throne. Not many months after, he proposed to his nephew, that he should recal *Gordius*, the assassin, from banishment. In this proposal, his view was to have a pretence for war, in case his nephew denied his request, and, in case he granted it, to get rid of him by the same hand which had murdered his father.

The

The young King refused, and both sides prepared for war. *Mithridates* brought into the field 80,000 foot, 10,000 horse, and 600 armed chariots; and the *Cappadocian*, assisted by the neighbouring Kings, had an army no less numerous. The King of *Pontus*, doubtful concerning the event of the war, invited his nephew to an amicable conference, and there stabbed him with his own hand, in sight of both armies. He then placed his own son, a child of eight years old, upon the throne of *Cappadocia*, gave him the name of *Ariarathes*, and assigned him *Gordius* for his tutor.

Y. R. 661.
Bef. Chr.
91.
360 Conf.

The *Cappadocians*, oppressed by their governors, sent into *Asia* for the younger brother of their late King, and put him at their head. But this Prince, being defeated in battle by *Mithridates*, fled out of the country, and soon after died.

Justin. ib.
c. 2.

Nicomedes, fearing lest the King of *Pontus*, now in possession of *Cappadocia*, should from thence invade *Bithynia*, which bordered upon it, suborned a young man, of great beauty, to call himself a son of the late *Ariarathes*, and petition the *Roman* Senate for the crown of *Cappadocia*. Queen *Laodice* joined in the fraud, and went to *Rome* with the impostor, there to own him for her son by her former husband. *Mithridates*, with equal impudence, sent *Gordius* to the Senate to assure them, that the boy, who actually reigned in *Cappadocia*, was a son of the late King *Ariarathes* ^a. The Conscript Fathers

^a *Justin*, from whom we have this story, says, that *Mithridates* pretended the boy was son of that *Ariarathes*, who lost took

Y. R. 661.
Bef. Chr.
91.
360 Conf.

Strab. l.
xii. p. 540.

Liv. Epit.
l. lxx.
Plut. in
Sylla.

took *Cappadocia* from *Mithridates*, and *Paphlagonia* from *Nicomedes*, and declared both countries free. But the *Cappadocians*, accustomed to monarchical government, desired they might have a King. Their request being granted, their choice fell upon *Ariobarzanes*, a *Cappadocian* noble. *Mithridates* did not openly oppose the execution of this decree, but, we are told, that he, underhand, stirred up the *Armenians* against the *Cappadocians*; and we find that *Sylla* had a commission to restore *Ariobarzanes* to his dominions, and that he effected it, after having driven from thence *Gordius* and the *Armenians*.

According to *Plutarch*, *Sylla* made a progress as far as to the *Euphrates*, and, while he was encamped on the banks of that river, *Arfaces*, King of the *Parthians*, sent Ambassadors to him, desiring an alliance with the *Roman Republic*: Though the *Parthians* were a nation the greatest for extent of dominion, the most warlike, and the richest in *Asia*, they were little known at

his life in fighting for the *Romans* against *Aristonicus*. But this cannot be true, if what the historian had said before be true, that the boy was but eight years old: for the Consul *Perperna* finished the war with *Aristonicus* in the year 623. *Mithridates* therefore, it is probable, pretended, that the boy in question, was the grandson of that *Ariarathes*, who had six sons by his wife *Laodice*, the five eldest of which the mother poisoned, that she might not be deprived of the administration of the kingdom. The sixth, who was preserved by his relations, afterwards married *Laodice*, sister of *Mithridates*, and was assassinated by his order. Of the two sons of this marriage, *Mithridates* killed one with his own hand, and dethroned the other, who, soon afterwards, died with grief.

Rome.

Chap. vi. *The Roman History.*

203

Rome. Sylla reckoned among the most fortunate of his adventures that of being the first *Roman* to whom the *Parthians* had sent a solemn embassy. At the audience which he gave to the Ambassador, he placed himself in the middle between him and the King of *Cappadocia*; and the *Parthian* minister, for having suffered this, paid afterwards the forfeit of his head.

Y. R. 661.
Bef. Chr.
91.
360 Conf.

Sylla, at his return to *Rome*, was accused of having plundered the allies of the Republic, during his administration in *Asia*: but his accuser dropt the prosecution ^b.

^b A sort of professors had been introduced into *Rome*, who called themselves *Latin Rhetoricians*, and pretended, by certain rules and definitions, to teach the *Roman* youth the art of eloquence. *Crassus*, the orator, now in the Censorship with *Cn. Domitius Ænobarbus*, thought there was nothing to be learnt of these masters, but impudence; in conjunction, therefore, with his colleague, he, by edict, obliged them to shut up their schools. *Cic. de Orat.* l. iii. c. 24.

The Magistracy of these two Censors passed almost intirely in disputes between themselves; the source of which was, perhaps, their difference of character: *Domitius* being frugal, *Crassus* given to expence. Their quarrels were too ridiculous to deserve a place in history.

C H A P. VII.

Livius Drusus, Tribune of the People, undertakes, without success, to procure to the Italian allies the privileges of Roman citizenship.

Y. R. 662.
Bef. Chr.
90.
361 Conf.

* App. de
Bell. Civ.
l. i. p. 371.
Cic. de O-
rat. l. i.
c. 7.
Vell. Pat.
l. ii. c. 13.
Liv. Epit.
l. lxx, lxxi.
Ascon. in
Orat. pro
C. Corn.
Flor. l. iii.
c. 17.
Sallust.
Ep. 2. de
Rep. Or-
dinand.
Dio. Cass.
ap. Vales.
p. 638.
Strab. l.
xi. p. 515.
Plin. l.
xxxiii.
c. 1.
Liv. Epit.
l. lxxi.
App. loc.
cit.
Flor. l. iii.
c. 17.
Auct. de
Vir. Illust.

IN the Consulship of *L. Marcius Philippus* and *Sex. Julius Cæsar*, great commotions were raised at *Rome*, on account of some laws proposed by a Tribune of the People, *M. Livius Drusus* ^c, the son of that *Drusus*, whom the Senate had spirited up to defeat the projects of *Caius Gracchus*.

The historians have left us a very unsatisfactory account of the Tribuneship of this *Drusus*; they are not agreed among themselves in relation to his character, or to his views, or to the subject of his laws: nor are the facts they relate altogether consistent with what they say of him.

According to *Appian* *, the Tribune chiefly aimed at procuring the right of *Roman* citizenship for the *Italian* allies: but most authors affirm, that his main design was to assert the authority of the Senate. The men, who opposed him with the greatest vehemence, were the Consul *Marcius Philippus*, and a Senator named *Q. Servilius Cæpio*, who had formerly been in such intimate friendship with the Tribune, that they had exchanged wives; which, *Strabo* says, was

^c This *Drusus* was uncle to the younger *Cato*, and great uncle to the famous *M. Brutus*. *Cic. pro Mil. c. 7.* and in *Brut. c. 62.*

an ancient custom amongst the *Romans*: yet these friends quarrelled afterwards about a ring that was sold at an auction, and were reconciled.

Y. R. 662.
Bef. Chr.
90.
361 Conf.

To bring the People to favour his projects, *Drusus* proposed several laws for giving lands, and distributing corn to the poorer citizens; and these laws he is said to have carried by force ^d, and by the assistance of the allies, to whom he promised the freedom of *Rome*. He also planted in *Italy* and *Sicily* many colonies of *Roman* citizens, not indeed, by virtue of new laws, but in consequence of such as had been already enacted. If we may believe some authors, he was so profuse in his grants, that he himself said, he had left nothing for any body to give away, unless it were dirt and air. It was, probably, at this time, and to the end that the Public might be the more able to bear the expence of his largesses, that he ordered one eighth part of alloy to be mixed with the silver coin ^e.

Plin. l.
xxxiii.
c. 3.

^d In some contest upon occasion of these laws, *Drusus* ordered one of his clients to seize the Consul *Philippus*. The man grasped him by the throat with such violence, that the blood started out at his nose: The Tribune made a jest of this: *It is not blood*, says he, *it is the gravy of thrushes*: for, it seems, *Philippus* loved good eating. After this, the Consul, by order of *Drusus*, was dragged to prison. *Val. Max.* l. ix. c. 5. § 2. *Auct. de Vir. Illust.* The last cited author also relates, that *Drusus* threatened to have *Cæpio* thrown from the *Tarpeian* rock.

^e According to the text of *Pliny* (l. xxxiii. c. 3.) as explained by *Hardouin*, there was at this time in the treasury of *Rome* 1,920,829 pounds of gold, which, by *Arbutnot's* calculation, amounts to 52,102,486l. 12s. 6d. sterling, but he thinks the sum too extravagant, and that, perhaps, *Pliny's* numbers are not correct. *Arbutnot's* Tables, p. 191.

The

Y.R. 662.

Liv. Epit.

l. lxx.

Ascon. in

Orat. pro

Scaur.

Liv. Epit.

l. lxxi.

Cic. pro

Rab. Post.

c. 7.

App. p.

372.

The Senate, and especially *Æmilius Scaurus*, pushed on *Drusus* to take away the right of judging from the Knights. He either could not, or would not, execute this scheme. But he proposed a law ^f, ordaining, that the right of judging should be equally divided between the Senators and the Knights; and that all Judges, who should be charged with taking money for giving judgment, should be brought to trial ^g; for

^f *Vell. Paterculus* says, this law transferred the right of judging to the Senate. *Florus* seems to be of the same opinion. According to *Appian*, it ordained, that the number of Senators, which did not then amount to quite 300, should be doubled, that the new members should be of the Equestrian order, and that from the whole body of the Senate, thus constituted, the Judges should for the future be elected. The author of the lives of illustrious men seems to agree with *Appian*. But the accounts given by these authors are not consistent with the arguments which *Cicero* puts into the mouths of the Roman Knights, upon this occasion.

^g *Appian* reports (p. 372.) that the Roman Knights, conniving at one another, it was grown very common for the Judges to take bribes. But *Asconius* says, the Knights were Judges for forty years, and judged without reproach. Then *Sylla* transferred the right of judicature to the Senators, and they judged ignominiously for ten years. After this, *Aurelius Cotta* procured a law, that the Judges should be chosen from among the Senators, the Knights, and the Tribuni *Ærarii*. And *Cicero* (1 *Act.* in *Verr.* c. 13.) tells us, that for near fifty years (he means from the time of *C. Gracchus* to *Sylla*), during which, the Roman Knights were the Judges, there never was the least suspicion that any of them took money for giving judgment: whereas he brings many instances to prove, that the Senators were notoriously guilty of that crime, when the right of judging came to be in them. Speaking of his own time, he says, Foreign nations, I imagine, will send Ambassadors to *Rome*, to request of the People to abrogate the law concerning extortion and embezzling the public money hitherto,

hitherto, the Knights were not liable to be called to account for any sentence they had passed, nor were they affected by several laws to which the Senators were subject. The Equestrian order strenuously opposed this last clause of the law, as well as the former part of it. "Not that they imagined (says *Cicero*) that it was no crime to take money for giving judgment; but they thought it unjust that their body should be subject to the same laws as the Senate. They said, the Senators have no reason to complain. They have rank, authority, interest magistracies, priesthoods, triumphs, the command of armies, and provinces; and when they began their pursuits of these honours, they knew the conditions annexed to them. We, too, by the favour of the *Roman* People, had we coveted high offices, might have been raised to the dignity of Senators: but, contented with our own order, and the rank of our forefathers, we preferred a quiet life without glory, to the storms of envy, and the perplexity of such trials, as this law would involve us in. If

Y. R. 662.
Bef. Chr.
90.
361 Conf.

Cic. loc.
cit. & pro
Cluent.
c. 56.

ney. For then the Governors of provinces will only plunder them of so much money as they want for themselves and their children; whereas now they must have enough to purchase patrons and advocates, and to bribe the Prætors and Judges. The famous *Q. Catulus*, in a speech made on occasion of *Pompey's* proposing a law for restoring to the Tribunes some of their ancient privileges, says, that the corruption of the Senatorian Judges was the reason why the *Roman* People so earnestly desired the re-establishment of the Tribunician power. *Pompey* also complained of this iniquity of the Senators, and promised, in his Consulship, to find a remedy for it.

" it

Y. R. 662.
Bef. Chr.
90.
361 Conf.

" it be objected, that we are as much Judges
" as they are Senators, it is true: but they
" voluntarily sought that dignity: we, by being
" Knights, are forced to become Judges. Where-
" fore, either restore to us our youth, that we
" may sue for offices, or, since this cannot be,
" suffer us to continue in that condition of life,
" for the sake of which, we have renounced all
" pretensions to offices and honours." This plea
was urged without effect. *Drusus* got his law
passed, in spite of all opposition.

Auct. de
Vir. Illust.

Cic. de O-
rat. l. iii.
c. 1.

The 13th.

But now the allies solicited the Tribune to perform his promise, and procure them the freedom of *Rome*. As the Senate and the People equally disliked this project, he found himself greatly at a loss, how to put it in execution. It is said, that, in order thereto, the *Italians* laid a plot to murder the Consul *Philippus* at the *Feria Latina*, but *Drusus* gave him notice of the danger. It seems *Philippus* opposed the Senate with no less vehemence, than he did the Tribune. In a speech to the People during the *Feria*, he made a sharp invective against the Conscript Fathers, and said, he must find a way to have another Council: for with the Senate, such as it was, he could not carry on the Public business. On the Ides of *September*, *Drusus* convened the Fathers; and, after complaining heavily of *Philippus*, proposed to them to deliberate on the offensive words uttered by him against the Senate in the late assembly of the People. *Crassus*, the orator, warmly espoused the cause of the Senate; and it was thought

(says

CH
(say
ful
he
gre
que
une
and
fail
and
mon
ack
wou
was
that
be fi
oppo
rang
and
weig
be m
Sena
eithe
write
for, i
he w
fell i
a shiv
nimit
the h
after
died i
Th
obtain
Vo

(says *Cicero*), that as, on former occasions, he had surpassed all other men in eloquence, so, on this, he surpassed himself. The Consul, a man of great spirit and resolution, and the next in eloquence to *Crassus* and *Antonius*, though by far unequal to either, answered with much heat; and by way of punishing the orator for having failed in respect to him, imposed a fine upon him, and demanded sureties for the payment of the money. *Crassus* replied, that he would never acknowledge the authority of a Consul, who would not respect him as a Senator; that he was not to be terrified by a demand of sureties; that his tongue must be cut out, before he would be silent, and that, even then, his breath should oppose the insolence of the Consul. After haranguing long with great vehemence, acuteness, and strength, he gave his opinion in words weighty and eloquent, says *Cicero*; that it should be made appear to the *Roman* People, that the Senate had never been wanting to the Republic, either in wisdom or in fidelity. This, adds the writer, was the last oration of this divine man, for, in the vehemence of his action and discourse, he was seized with a pain in his side, and then fell into a violent sweat, which was succeeded by a shivering fit: but, as the Senate had with unanimity gone into his opinion, he would not leave the house, till he had seen the decree registered: after which he went home ill of a fever, and died in seven days.

The *Italians*, seeing no probability of their obtaining the freedom of *Rome* by a law, began

Y. R. 662.
Bef. Chr.
90.
361 Conf.

Liv. Epit.
l. lxxi.

Y.R. 662.

App. de
Bell. Civ.

l. i. p. 372.

Auct. ad

Herenn. l.

iv. c. 22.

& alii.

Auct. de

Vir. Illust.

Cic. de

Nat. Deor.

l. iii. c. 33.

Id. pro

Mil. c. 7.

Id. de Leg.

l. ii. c. 6.

Orat. i.

pro C.

Corn. &

Ascon. in

loc.

Senec. de

Brev. Vit.

c. 6.

Val. Max.

l. ix. c. 5.

§ 2.

Dio Cass.

ap. Valef.

p. 638.

Flor. l. iii.

c. 17.

Auct. de

Vir. Illust.

Cic. pro

Mil. c. 7.

De Nat.

Deor. l. iii.

c. 33.

In Vat. c. 9.

to hold consultations ^h, how to procure it by force of arms: and then *Drusus*, being looked upon as the author, or at least the occasional cause, of these cabals, became odious to the Senate. Shortly after, he was stabbed in a gallery of his own house: and though the house was, at that time, crouded with people, the assassin escaped unknown. The suspicion (according to some writers) fell upon *Philippus* and *Cæpio*; according to others, upon *Q. Varius*, Tribune of the Commons. No enquiry, however, was made concerning the murder ⁱ. And the Senate, at the motion of the Consul *Philippus*, abrogated all the laws of *Drusus* by one decree, declaring, that they had been carried contrary to the Auspices, and that the People were not bound by them: *Cicero* tells us, that the Senate frequently assumed this power.

As to the character of *Drusus*, authors differ extremely. *Vell. Paterculus* commends him highly; perhaps, in flattery, to the Emperor *Tiberius*; for this Prince (in whose time *Paterculus* wrote) was, by the mother's side, descended from the family of *Drusus*. The greater number of writers represent the Tribune, as ambitious, proud, and violent. *Cicero* is of both opinions: for sometimes he speaks honourably of him, and, at other times, with contempt.

^h According to *Plutarch*, it was about this time, that King *Bocchus* dedicated to the Gods, in the Capitol, a sculpture in gold, representing himself delivering up *Jugurtha* into the hands of *Sylla*: at which *Marius* was highly offended, &c. Vid. *supra*, p. 76, in the note.

ⁱ *Seneca* (de *Brevit. Vit.* c. 6.) tells us, that some people thought *Drusus* killed himself; but that no body thought he died too soon.

C H A P. VIII.

The war called the MARSIC, the SOCIAL, the ITALIC war; being the war of ROME with her ITALIAN ALLIES.

IT has been already observed, that the *Italians* had begun to concert measures for supporting, by arms, their claim of the freedom of *Rome*. The murder of *Drusus* confirmed them in this resolution: for now they totally despaired of obtaining, by treaty, those privileges, to which they had so just a pretension:—The rights of a city, sustained chiefly by their arms, they having, in all its wars, furnished two thirds of the troops.

By the *Italians* were anciently meant, all the nations within the *Rubicon* (which falls into the *Adriatic*, not far from *Ariminum*) and the *Arnus*, which discharges itself into the *Tuscan* (or *Hetrurian*) sea, near *Pisa*, the first town of *Hetruria*. The country, between these rivers and the *Alps*, had the name of *Cisalpine Gaul*, and was reduced to the form of a province. The *Italians* were not called subjects, but allies; and, as they had been subdued (most of them after many defections) at different times, the conditions of their alliance were different. The *Latines*¹, properly so called,

Y. R. 662.
Bef. Chr.
90.
361 Conf.

Sigon. de
Jure Ital.
Polyb. l.
ii. c. 16.

¹ The boundaries of *Latium* were anciently the *Tiber* to the West; the *Anio* and the *Sabines* to the North; the *Volschi* and the river *Ufens* to the East; and the *Tyrrhenian*, or *Tus-*

Y. R. 662.

enjoyed the greatest privileges : what these were is uncertain ; but they were less^k than those of

can, sea to the South. This country, in the time of the *Social War*, extended to the *Liris* on the East, and to the country of the *Marfi* on the North. The nations of *Old Latium* were the *Albani*, *Rutuli*, *Volsci*, and *Æqui* : of *New Latium*, the *Osii*, *Ansones*, and *Hernici*. And all these, *Sigonius* thinks, had, in process of time, the full rights of *Latium*. *Sigon. de Antiq. Jur. Ital.* l. i.

^k By the Roman law no one, who had the full rights of citizenship, could belong to another city. *Duarum civitatum civis esse nostro jure civili nemo potest : non esse hujus civitatis civis, qui se alii civitati dicarit, potest.* Cic. pro Balb. c. 11. Nor was any man obliged against his will to change his city. *Itaque & ex Latio multi, & Tusculani & Lanuvini, & ex cæteris generibus gentes universæ in civitatem sunt receptæ ; ut Sabinorum, Volscorum, Hernicorum : quibus ex civitatibus nec roasti essent civitatem mutare, si qui nolissent, &c.* Cic. pro Balb. c. 13. None therefore could be Roman citizens, but such as lived in *Rome*, or in its proper territory ; and, though many among the *Latines*, and even whole nations, as the *Sabines*, *Volsci*, and *Hernici*, were made free of *Rome* ; yet the full privilege of citizenship extended only to those of them, who, accepting it, removed from their own cities to *Rome*, which none of them were compelled to do. *Sigonius* [*de Antiq. Jur. Ital.* l. i. c. 4.] thinks that all the *Latines* had the right of suffrage, but that the Consuls had a power to order them to depart from *Rome*, at the time of holding the *Comitia*. And this he endeavours to prove by several examples. *Spurius Cassius*, Consul in the year of *Rome* 267, having called as many as he could of the *Latines* and *Hernici* to vote in an Agrarian law, his colleague, *Virginus*, by edict, commanded every one, who had not a habitation in *Rome*, to quit the city. And the Consul *Fannius*, in a like case, commanded the *Latines* to leave the city, though they had been invited thither by *Caius Gracchus*, to give their suffrages. And *Cicero* (*pro Sext.* 10.) tells us, that the *Latines* took nothing more heinously, than their being ordered by the Consuls to leave *Rome*, which seldom happened.

Roman citizens, and greater than those of the other *Italians*. That these had not the right of suffrage, is manifest from their entering into the present war to obtain it. And it would seem likewise, from the *Latines* adhering firmly to *Rome*, in this quarrel, that they had much greater privileges than the other allies. The *Sabines* likewise steadily supported the cause of *Rome*; but these (according to *Vell. Paterc.*) had the right of suffrage.

Y. R. 662.
Bef. Chr.
90.
361 Conf.

Salust says, that when *Mamilius*, the Tribune, proposed a law for prosecuting those, by whose fault *Jugurtha* had disobeyed the orders of the Senate, the guilty prepared to defeat the law, chiefly by means of the *Latines*, and the *Italian* allies. In the trial of *Posthumius Pyrgensis*, in the year of *Rome* 541, *Livy* mentions a Tribune's calling for the urns to determine by lot where the *Latines* should vote. *Sitellaque allata est, ut sortirentur, ubi Latini suffragium ferrent.* Liv. xxv. 3. *Gronovius* is so much offended with the notion of the *Latines* having the right of suffrage, that he would have *Livy's* text altered in this place. *Cujatius* thinks, the historian does not speak of the *Latines* in general, but of those citizens of *Latium* who had the freedom of *Rome*; and many such there were.

Sigonius argues, that *Cassius* and *Gracchus* would not have called the *Latines* to vote, unless these had had a right of suffrage; nor unless their privilege of voting had depended on the Consuls, would these magistrates have forbid them to remain in the city.

But as it is hard to conceive, that all the *Latines* had a title to vote in the *Comitia*; because in that case the electing of magistrates and the making of laws would have been chiefly in their hands (they being seldom ordered to depart the city), it is most probable, that the right of suffrage belonged only to some particular men, or cantons, among them.

Y. R. 662.

Liv. l. ix.
& l. xxviii.
App. de
Bell. Civ.
l. i.
Vell. Pat.
l. ii. c. 15.
Cic. 2 in
Verr. c. 2.
App. de
Bell. Civ.
l. i. p. 373.

Vell. Pat.
l. ii. c. 15.
Diod. Sic.
ap. Valef.
App. p.
374.

The allies, in general, were subject to tribute, and obliged to furnish soldiers for the *Roman* armies, commonly in the proportion of two to one. Yet the auxiliaries were never admitted among the legions, but served in separate cohorts under Prefects, who received their orders from the *Roman* Generals.

The detail of the actions in this great and difficult war, and the order of time in which they happened, are indistinctly related by the historians. At first, the *Italians* concerted their scheme in secret, entered into a confederacy, and gave hostages to one another. The *Romans*, however, had notice, that a conspiracy was forming, and they sent spies up and down the country to procure further intelligence. One of these happening to see a young man of *Asculum* (in *Picenum*) carried as a hostage to a neighbouring town, gave notice of it to *Servilius*, who, in quality of Proconsul¹ or Prætor, watched that part of the country. *Servilius* hastened to *Asculum*, and reprimanded the inhabitants with great severity and many threatenings, which so exasperated them, that they fell upon him, and slew him, together with his Lieutenant *Fonteius*; and massacred the *Romans* they found in the place. Instantly, as if this had been the signal

¹ *Appian* says, that from hence it appears, that in ancient times the several countries of *Italy* were subject to Proconsuls; but *Sigonius* blames this conjecture, for there is no instance of a *Roman* Proconsul or Prætor presiding among the *Italians*, except on occasion of a war in *Italy*. *Sigon. de Antiq. Jur. Ital.* l. i. c. 21.

for a general revolt, the *Marfi*, *Peligni*, *Vestini*, and *Marrucini*, took arms; and their example was soon followed by the *Picentes*, *Ferentani*, *Hirpini*, *Pompeiani*, *Venusini*, *Apuli*, *Lucani*, and *Samnites*, and, in a word, by all the nations between the two seas, from the *Liris* eastward to the extremity of ancient *Italy*. The *Marfi*, a people renowned for bravery, and over whom, or without whom, it is said, the *Romans* never triumphed, gave their name to this war, because they were the first in the revolt; though it is called also the *Social* and the *Italian* war.

Before the confederates proceeded to acts of hostility, they sent an embassy to *Rome*, to represent, that they had served the Republic in all her wars, and had every year furnished a double proportion of troops; and to demand that, since by their means the City had been raised to her present height of power, they might be acknowledged as citizens. The Senate answered haughtily, that, if the *Italians* were sensible of their error, their Ambassadors would be received, otherwise not. Upon the report of this answer, the Allies chose *Corfinium* (the chief town of the *Peligni*) for their principal place of arms, and destined it to be the capital of *Italy*, instead of *Rome*: they then constituted a Senate, composed of 500 members, and, out of these, elected two Consuls, and twelve Generals, or Prætors. Their first Consuls were *Q. Pompeius Silo*, the chief of the *Marfi*, and *C. Aponius Mutilus* (called by some historians *C. Papias*), a *Samnite*. To *Pompeius*, and six of the Prætors,

Y. R. 662.
Bef. Chr.

90.
361 Conf.

App. p.
378.
Strab. l. v.
p. 241.

Vell. Pat.
l. ii. c. 16.

Y. R. 663.
Bef. Chr.
90.
361 Conf.

Ascon. in
Orat. pro
Scaur.

Id. loc. cit.
Val. Max.
1. viii. c.
6. § 4.
App. P.
373.

Cic. Tusc.
Quæst. 1.
ii. c. 24.
Id. pro
Scaur. &
Ascon. in
loc.
Id. in
Brut. c.
89.
Id. de Nat.
Deor. 1.
iii. c. 33.

they allotted the North and West parts of the revolted country, and to *Aponius*, and the other six Prætors, the South and East parts.

At *Rome*, the Nobles became odious to the People, who looked upon them as the authors of the war, by their having rejected the request of the *Italians*. *Q. Varius*, the same who had been suspected of murdering *Drusus*, laid hold of this opportunity, and, notwithstanding the *intercession* of the Tribunes, his colleagues, obtained a law for enquiring by whose fault it had happened, that the Allies had taken arms^m. In consequence of this law, many of the Senators and Nobles were summoned to their trials. *Beslia*, and *Cotta* (the nephew of *Rutilius*), to avoid a sentence, went into voluntary exile. *Mummius Achaicus* is said to have been banished to the island *Delos*; but, if he were living at this time, he could not be less than a hundred years old. *Antonius*, the orator, saved himself by his eloquence; and *Æmilius Scaurus*, who, on different accounts, had been often accused, and as often acquitted, found means to escape once moreⁿ.

^m *Appian* says, the purport of the law was to bring into judgment all who had openly, or secretly, favoured the pretensions of the *Italians*: that the *Roman* Knights put the Tribune upon this project, that they might have an opportunity to revenge themselves on their enemies, and that they guarded him with drawn daggers, till he had carried his law. *App. de Bell. Civ.* l. i. p. 373.

ⁿ Whatever difficulties *Scaurus* might have found to escape in former trials, he got rid of this with great ease. To all the declamations of his adversaries, he made only this laconic reply: *Q. Varius*, a Spaniard of *Sucro*, accuses *M. Scaurus*,

Q. Varius

L. Varius himself, when out of office, was condemned by his own law, and was banished [He afterwards suffered death by torture, but at whose command is not known].

V. R. 662.
Bef. Chr.
90.
361 Conf.

But now the Senate made diligent preparation for war. The *Latines*, *Sabines*, *Hetrurians*, and *Umbrians*, and even some places in the revolted provinces, continued faithful to the Republic, and furnished their contingents of men. Foreign nations sent auxiliaries to her, and *Sertorius*, then Quæstor in *Cisalpine Gaul*, brought her a reinforcement of *Gauls*. The conduct of the war was committed to the Consuls *L. Julius Cæsar*, and *P. Rutilius Lupus*. It is thought, that *Cæsar* had *Samnium* allotted to him for his province, and *Rutilius* the country of the *Marfi*. And, in order to stop all prosecutions, on account of *Varius's* law, and thereby free the city from intestine dissensions, the Senate ordered the courts of justice to be shut up, during the *Italian* war. To each of the Consuls were assigned five Lieutenants, who, under their direction, commanded separate armies with Proconsular authority. The Lieutenants of *Rutilius* were *C. Marius*, *Cn. Pompeius*, father of *Pompey* the Great, *L. Cæpio*, *C. Perperna*, and *Valerius Messala*. *Cæsar's* chief

Liv. Epit.
l. lxxii.
Plut. in
Sertor.

V. R. 663.
Bef. Chr.
89.
362 Conf.

Ascon. Or.
1. pro C.
Corn.
App. p.
374.

Prince of the Roman Senate, of having excited the Allies to take up arms. M. Scaurus, Prince of the Senate, denies the charge: no witness is produced: which of the two will you believe, Romans? This kind of defence had such an effect on the assembly, that the Tribune thought it the safest way to desist, and declared that he would give him no farther trouble.
Ascon. in Cic. pro Scaur. Quintil. v. 12.

officers

Y. R. 663.
Bef. Chr.
89.
362 Conf.

officers were *Cornelius Sylla*, *P. Lentuius*, *T. Didius*, *P. Licinius Crassus*, and *M. Marcellus*. These Generals, leaving a sufficient garrison in *Rome*, set out with 100,000 men, divided into several armies: nor were the forces of the *Italians* less numerous.

App. p.
375.

Præfenteius, one of the Generals of the Allies, defeated a considerable body of troops under *Perperna*, and slew 4000 of his men. Whereupon, the Consul *Rutilius* deprived *Perperna* of his command, and joined the remains of his routed troops to those of *Marius*. The two Generals encamped on the banks of the *Liris*°, near each other: *Vettius Cato*, who had already vanquished in battle the Consul *Cæsar*, and taken *Æsernia*, a Roman colony on the *Vulturnus*, now advanced to hinder *Rutilius* and *Marius* from passing the *Liris*. *Marius* advised the Consul not to hazard a battle, till his raw soldiers were disciplined; but *Rutilius* neglected the advice, thinking, that his Lieutenant envied him, and wanted a seventh Consulship, that he might have the glory of finishing the war. His suspicions, if we may believe *Dio Cassius*, were not ill founded. Be that as it will, *Rutilius* passed the river, and fell into an ambush, lost 8000 of his men, and was himself mortally wounded. *Marius* knowing, by the number of dead bodies that floated down the stream, that the armies were engaged, drew out his forces, passed the river, and easily made him-

Oros. l. v.
c. 18.

Dio Cass.
ap. Valef.
p. 641.
App. loc.
cit.

App. p.
377.

° *Orosius* says, it was the *Telonius*, in the country of the *Marfi*.

self

self master of the enemies camp : so that *Vettius* was obliged to pass the night on the field of battle, and to march off next morning for want of provisions.

Y. R. 663.
Bef. Chr.
89.
362 Conf.

When the bodies of the Consul, and of the other officers that had fallen in the battle, were brought to *Rome* to be interred, the consternation among the People was so excessive, as to induce the Senate to make a decree, that thenceforward the bodies of the slain should be buried on the spot where they died : and this, as a prudent example, was followed by the enemy.

Cæpio having obtained some small advantage over the Allies, the Senate ordered, that *Marius* and he should share between them the forces which *Rutilius* had commanded. This honour greatly raised the presumption of *Cæpio*; of which the *Italian* Consul *Pompedius* found means to make advantage for his cause. Leaving his army, he went to the *Roman* camp, and, together with two slaves sumptuously dressed, who, he said, were his sons, surrendered himself to the General. To gain the more credit, he had brought with him large pieces of lead covered with gold and silver, which, as his treasure, he deposited in the hands of *Cæpio*. At the same time, he urged him to fall upon the *Italian* army, while without a leader, and offered himself to be his guide. *Cæpio* gladly listened to the proposal; and when he had brought his army near the place, where an ambush was laid for him, *Pompedius*, under pretence of reconnoitring the enemy, rode up to an eminence, and from thence

Liv. Epit.
l. lxxiii.

Y. R. 663.
Bef. Chr.
89.
362 Conf.

thence gave the appointed signal to his men, who instantly rushed out upon the *Romans*, made a great slaughter of them, and killed *Cæpio* himself. What remained of his army joined that of *Marius*, by order of the Senate.

App. p.
375.

During these transactions, the confederates had great success in other parts of *Italy*. In *Campania*, *Lucania*, and *Apulia*, they had possessed themselves of several important towns, which had refused to join with them in the war. And *M. Lamponius* had routed a *Roman* army, commanded by *Licinius Crassus*, Lieutenant to the Consul *Cæsar*. The Consul himself, after his defeat by *Vettius Cato*, had recruited his army with a considerable body of *Gauls* and *Numidians*, and marched to the relief of *Acerræ*, then besieged by *Aponius*. Hereupon the *Italian* General brought *Oxinta*, the son of *Jugurtha*, from *Venusia*, where he was kept in confinement, and gave him the title of King. The *Numidians* deserted in such numbers to their sovereign, that the Consul, fearing they would all leave him, sent what yet remained with him into *Africa*: After this, *Aponius* attempted to force the *Roman* entrenchments, but lost 6000 men in the action. Yet *Cæsar*, it is said, left *Acerræ*, and we do not find that *Aponius* raised the siege of it. However, at this time, the Citizens of *Rome* laid aside the military habit which they had worn from the beginning of the war.

Liv. Epit.
l. lxxiii.
Vell. Pat.
l. ii. c. xvi.
App. p.
377.

The next account we have of *Cæsar*, is, that his forces, consisting of 30000 foot and 5000 horse, were attacked, on a march, by *Marius Egna-*
tius,

tius, who cut off the greater part of them. Nevertheless, the Consul recruited his army, and marched once more to the relief of *Acerræ*: But it is not said that he attempted any thing against *Aponius*, or *Aponius* against him.

Y. R. 663.
Bef. Chr.
89.
362 Cons.

In the mean time, three of the *Italian* Generals, *Afranius*, *Judacilius*, and *Ventidius*, had routed the army of *Cn. Pompeius*, and driven him to take refuge in *Firmum*, a city of *Picenum*. After this victory, *Judacilius* and *Ventidius* turned their arms another way, leaving *Afranius* to besiege *Firmum*. To the relief of this place, *Sulpicius* advanced by unfrequented roads, and while the besieged, in concert with him, made a sally upon the besiegers, he attacked their camp on the other side, and set fire to it. This disaster so terrified the *Italian* soldiers, that they fled in disorder to *Asculum*; but their General, disdainng to fly, fell in the engagement. *Pompeius*, soon after, invested *Asculum*, the siege of which lasted a long time.

App. p.
378.

The *Marfi*, under what General is uncertain, attacked *Marius* in his camp: He repulsed them, and drove them into some vineyards, whether he did not think it advisable to follow them. But *Sylla*, who lay encamped on the other side of those vineyards, fell upon the enemy, and made great havock of them. Above 6000 of the *Italians* fell in the two actions. The *Marfi*, however, soon recruited their forces, and frequently offered battle to *Marius*, which he constantly declined. He was, during this war, if we may believe *Plutarch*, extremely slow, irresolute,

Plut. in
Mar.

Y. R. 663.
Bef. Chr.
89.
362 Conf.

resolute, and inactive; which, the historian says, might be owing to his being advanced in years (for he was then sixty-five), or to his being troubled with nervous disorders. The enemy surrounded him with entrenchments, and insulted him daily^p: But of this he took little notice, and, at length, laid down his command, under pretence of wanting health.

App. p.
379.

Liv. Epit.
l. lxxiv.

Cic. pro
Balb. c.
viii.
Vell. Pat.
l. ii. c. xvi.
Strab. l. v.
p. 241.
A. Gell. l.
iv. c. 4.

The ill success of the *Romans* in this campaign encouraged the *Umbrians* and *Hetrurians* to think of revolting from the Republic. In so great an extremity, the Senate not only ordered the freedmen to be enlisted in the legions, but even began to yield the point they had so obstinately refused. The Consul *L. Julius Cæsar* obtained a Law^q (which from his name was ever after called *Lex Julia*), ordaining that the freedom of the city should be given to the *Latines*, and to those of the other *Italians*, who had

^p *Plutarch* reports that *Pompeius Silo* went up one day to *Marius's* entrenchments and called out to him: *Marius, if you are a great general, come down into the plain, and fight us:* to which *Marius* answered, *If you, Silo, are a great general, force me to a battle against my will.*

^q According to *Appian*, the *Julian Law* gave the Freedom of *Rome* only to those of the *Italians*, who had not entered into this war against the Republic. *Cicero*, in the place above quoted, says, in general, that by this Law the *Allies* and *Latines* obtained the Freedom of the City. It is probable, the Law included all who would take the benefit of it: For *Appian* himself, p. 382, says, that privilege was given to all the allies; to each nation as they laid down their arms. *Strabo* likewise tells us, that the *Italians* continued this war for two years, until they had procured themselves the Freedom of the City, for which they had

not

not taken up arms against the Republic, and to those who should lay them down. According to *Appian*, this Law, being sent into the several towns of *Hetruria*, kept the people of that country steady to the interest of *Rome*. Some authors, however, mention a victory over the *Hetrurians* and *Umbrians*, but it is uncertain, whether this victory was obtained before the passing of that Law, or after it.

In the following Consulship of *Gn. Pompeius Strabo*^r, and *L. Portius Cato*, new Censors were

taken up arms. *Strab. loc. supra cit.* In the Epitome of *Livy*, l. xxx. it is said, that the Senate gave the Freedom of *Rome* to the nations of *Italy*. And *Vell. Paterculus*, after mentioning the ill success of the *Romans* in this war, adds, that they recovered strength by granting the Freedom of the City by degrees to those who had not taken up arms, and to those who laid them down in time. Now as we find no Law, during the course of this war, which gave the privilege of Citizenship to the allies in general, except the *Julian* Law, it is probable, that it extended to all who chose to be included in it. This likewise helps us to account the more easily for the ill success of the *Italians*, the next campaign, notwithstanding the great advantages they gained in the present year.

^r *Cicero* tells us, that he was present at a conference between *Pompeius* the Consul, and *Vettius* the General of the *Marfi*, who had given the *Romans* a cruel defeat the year before, in which the Consul *Rutilius* was killed: It was held in sight of the two camps, and managed with great decency: The Consul's brother, *Sextus*, being an old acquaintance of *Vettius*, came from *Rome* on purpose to assist at it; and at the first sight of each other, after lamenting the unhappy circumstance of their meeting at the head of opposite armies, he asked *Vettius*, by what title he should now salute him, of friend or enemy; to which *Vettius* replied, "Call me friend by inclination, enemy by necessity." *Quem te ap-*
elected

Y. R. 663.

App. de
Bell. Civ.
l. i. p. 379.
Liv. Epit.
l. lxxiv.
Oros. l. v.
c. xviii.

Y. R. 664.

Bef. Chr.
88.

363 Conf.

Y.R. 663.

Sigon. de
Antiq.
Jur. Ital.
l. iii. c. i.
App. loc.
cit.
Vell. Pat.
l. xi. c. xx.
Cic. pro
Arch. c. iv.

electd a year before the usual time: And therefore *Sigonius* conjectures they were chosen to assign to the allies their proper tribes. That the allies might have little sway in the Comitia, the Senate would not distribute them into the old thirty-five tribes, but created for them eight new tribes; ordering, that these should give their suffrages the last, so that they seldom came to vote at all: an affair, which afterwards occasioned great disturbances in the Republic.

Another Law, which was at this time obtained by *C. Papirius Carbo*, and *M. Plautius Silvanus*, two Tribunes of the Commons, imported, that all foreigners, who were free of the cities allied to the Republic by league, should likewise have the Freedom of *Rome*, provided they had at that time an habitation in *Italy*, and gave their names in to the *Roman* Prætor, within sixty days after the promulgation of the Law.

Cic. Or. i.
pro C.
Corn. &
Alcon. in
loc.

* This *Plautius*, by the assistance of the Nobles, procured a Law, which deprived the *Roman* Knights of the sole right of judicature. It ordained, that *each* tribe should, out of their own body, annually elect fifteen persons to act as Judges; an honour now made common to all the three orders in the state *.

pellem, inquit? at ille: Voluntate hospitem, Necessitate hostem.
Phil. xii. xi. which shews, that these old Warriors had not less politeness in their civil, than fierceness in their hostile encounters. *Midd. Life of Cic.* vol. I. p. 18.

* Some think, that the same Tribune was author of the Law *de vi*, which may be rendered concerning assault and battery: But others are of opinion, that this Law was not enacted till the year 675.

At

At this time, great numbers of Citizens being plunged in debt, and their creditors demanding payment, not only of the principal, but of the interest; which last, though allowed by custom, was prohibited by law, the debtors not only refused to pay, but some of them even threatened to prosecute their creditors for usury. *A. Sempronius Asellio*, then Prætor Urbanus, after endeavouring in vain to reconcile the parties, gave permission to the debtors to plead the Law; which so enraged the creditors, that they fell upon him, and murdered him, while he was performing the sacrifice in the Forum. In this riot they were assisted by *L. Cassius*, one of the Tribunes of the People; and though the Senate offered a reward to whoever should discover the authors of the murder, effectual care was taken by the usurers to prevent the appearing of any informer.

During the broils in the City, war was carried on with vigour abroad. The Consul *Pompeius* continued the siege of *Asculum*^t, while his colleague *Portius Cato* successfully fought several battles with the *Marfi*; but in an attempt to force their camp, he was slain^u, and his army routed. It would seem that, after this, *Pompeius* turned

^t *Vell. Pat.* reports, that an army of 75000 Romans fought a battle before *Asculum* with 60000 Italians; but he neither tells us at what time, nor who were the generals, nor which side gained the victory.

^u If we may believe *Orosius*, l. v. c. xviii. *Cato* had boasted, that by his exploits he had equalled *Marius*; and, for this boasting, the son of *Marius* killed him, during a battle with the *Marfi*.

Y. R. 664.

Liv. Epit.

l. lxxiv.

Val. Max.

l. ix. c. 4.

§ 4.

App. p.

382.

l. lxxiv.

l. ix.

l. lxxiv.

l. ix.

l. lxxiv.

l. ix.

Liv. Epit.

l. lxxv.

Liv. Epit.

l. lxxiv.

lxxv.

App. p.

381.

I.

re-
to
nat
mi-
the
ght
ive
me
oc-

ob-
Sil-
ted,
ities
like-
they
gave
sixty

bles,
oman
t or-
own
et as
l the

hostem.
not leis
ile en-

of the
nd bat-
enacted

At

Y. R. 664.
Bef. Chr.
88.
363 Conf.

the siege of *Asculum* into a blockade; for it is said, that he routed the *Marfi* and *Marrucini*, and reduced the *Vestini* to surrender themselves. The Prætor *Cosconius* took *Salapia* and *Cannæ*, and besieged *Canusum*, but the *Samnites* defeated him in battle, and obliged him to raise the siege: yet, in a second action, he, and the Prætor *Lucceius*, obtained a victory over them, and slew 15000 of their men, together with one of their leaders, *Marius Egnatius*.

Plin. l. iii.
c. 5.

Orof. l. v.
c. 18.
Plut. in
Sylla.

In the beginning of the campaign, *Sylla* made himself master of *Stabia*, and razed it to the ground. He then joined to his own forces a Roman army, which had just slain their General *Posthumus Albinus*, for treating them haughtily*. *Sylla* made no enquiry concerning the criminals, alledging, that to make the crime be forgotten, the soldiers would fight with greater bravery.

App. p.
380.

The historians have left us such romantic accounts of some of the remaining exploits of *Sylla*, during this war, that it may reasonably be suspected, they took them from his own Memoirs. We are told, that while he lay encamped near *Pompeii*, in *Campania*, *L. Cluentius* came and pitched his camp within three furlongs of him. This *Sylla* looked upon as so great an affront, that though he had sent out some part of his army to forage, he immediately gave battle to the enemy, in which he was vanquished, and put to flight. Nevertheless, the foragers having joined him, he again attacked *Cluentius*, defeated him,

* The Epitome of *Livy* says, *Albinus* was meditating treason.

and forced him to remove his camp to a greater distance: the latter, however, got succours from the *Gauls*, and then offered battle to *Sylla*. When the two armies were drawn out, a huge *Gaul* came forward, and challenged the bravest of the *Romans* to fight him: this gigantic hero being slain by a little *Numidian*, the *Gauls* were terrified, and instantly took to flight. The *Italians*, seeing their army broken, fled likewise. *Sylla* pursued them, and, before they could reach *Nola*, whither they bent their course, slew 30000 of them: and as the people of *Nola* would open but one of their gates, lest the enemy should enter with their friends, *Sylla* cut off 20000 more of *Cluentius's* army round the walls of that place, and, among the rest, *Cluentius* himself, who died fighting valiantly. Yet this hero, it seems, slew nobody; for we are told, that *Sylla* did not lose * a single man, or, at most, but one. What follows has less of the *marvellous*.

Y. R. 664.
Bef. Chr.
88.
363 Cons,

* Eutrop.
l. v. c. 2.

App. loc.
cit.

The *Roman* general marched to *Æculanum*, a town of the *Hirpini*, and summoned the inhabitants to surrender. — These, expecting the *Lucanians* to come to their assistance that very day, desired time to deliberate. *Sylla* granted them only an hour, and employed that time in laying faggots to the walls, which were of wood. When the hour expired, he set fire to the faggots; and though the *Æculani* surrendered themselves, yet as fear had determined them to make this surrender, *Sylla* plundered the town, as if he had taken it by force. The rest of the towns belonging to the *Hirpini* voluntarily submitted.

Y. R. 664.

Frontin.
Strat. l. i.
c. v. § xvii.

App. p.
381.

Liv. Epit.
l. lxxvi.

Senec. de
Benef. l.
iii. c. xxiii.
Macrob.
Saturn. l. i.
c. ii.

After these achievements, *Sylla* turned his arms against the *Samnites*. Near *Æsernia*, *Aponius* surpris'd him in a pass, out of which it was not easy to escape. The *Roman*, to deceive the enemy, pretended a desire to capitulate; and having obtained a truce, took advantage of it, while the *Samnites* were negligent, to march off in the night, leaving a trumpeter in his camp to sound the watches. Returning suddenly by a way which *Aponius* did not think of, he fell upon him, and routed his army. In this action, *Aponius* was wounded, and few of his men escaped. *Sylla* plundered the enemies camp, and then marched to *Bovianum*, which he took after an assault of three hours.

In the mean time, *A. Gabinius*, after some successful engagements with the *Lucanians*, and reducing several of their towns, was slain in an attempt to possess himself of the enemies camp.

Sulpicius defeated the *Marrucini*, and forced them to submit to the Republic.

The *Marfi* also, being frequently vanquished by *Muræna* and *Metellus Pius*, at length sued for peace.

To *Pompeius*, the *Vestini* and *Peligni* made their submission. The latter having seized their general *Vettius Cato*, in order to deliver him up to the *Romans*, one of his slaves snatched up a sword and killed him. Now, said he, *that I have set my master at liberty, it is time to provide for myself*; and in that instant ran the sword through his own body.

Corfinium,

Corfinium, the capital of the *Peligni*, being now in the hands of the *Romans*, the allies made *Aesernia*, in *Samnium*, their principal town, and chose themselves five generals, of whom the chief was *Pompedius Silo*.

Y. R. 664.

Diod. Sic.
in Eclog. l.
xxxvii.

Asculum still held out against *Pompeius*. *Judacilius*, one of the *Italian* commanders, and an *Asculan* by birth, advanced to the relief of the place, but had only eight cohorts with him. To facilitate his enterprize, he gave notice to the *Asculans* of his approach, desiring them to make a sally upon the besiegers, as soon as he should come in sight. *Judacilius* had personal enemies in the place; and either by their influence, or through fear, the *Asculans* kept close within their walls. Nevertheless, sword in hand, he forced his way over the *Roman* entrenchments, and marching with his men up to the gates of the town, was then received by the inhabitants: but despairing of the preservation of the place, when he had first massacred all his enemies, he gave a great feast to his friends; at the close of which, he drank off a cup of poison, that he might not survive the ruin of his native city.

App. p.
378.
Orof. l. v.
c. 18.

App. p.
379.

Pompeius, after this, entered *Asculum*. He put to death all who had any command in the place, and all the principal citizens, dismissing the rest of the inhabitants, after he had stripped them

The writers [*Appian* and *Orosius*] who mention this story, place it in the beginning of the siege of *Asculum*; but it is not probable, that *Judacilius* would have killed himself so soon, had he seen the town in a condition to hold out a long siege.

Crevier.

Y.R. 664.
Bef. Chr.

88.

363 Conf.

of their effects. The slaves, with all the plunder, (which he sold;) in short, the whole prey he converted to his own use, though the treasury, as *Orosius* tells us, was so much exhausted, that the houses about the Capitol, which had been assigned to the several orders of priests and augurs, were sold to raise money for the exigencies of the state.

Orosius, l.
v. c. 18.

The conqueror had the honour of a triumph; and, among the rest of the captives led in the procession, were *P. Ventidius* and his wife; she bearing in her arms a son, who afterwards became Consul of *Rome*, and, in the time of the second Triumvirate, had himself a triumph for his victories over the *Parthians*.

Vell. Pat.
l. ii. c. 17.
Plut. in
Mar.
Liv. Epit.
l. lxxv.
Y.R. 665.

In the end of the campaign, *Sylla* went to *Rome* to sue for the Consulship. He was forty-nine years of age, or, according to *Plutarch*, fifty; and few men had done greater exploits than

Dr. Middleton observes, that "*Marius* in this war performed nothing answerable to his great name and former glory: his advanced age had increased his caution, and after so many triumphs and Consulships, he was jealous of a reverse of fortune: so that he kept himself wholly on the defensive, and, like old *Fabius*, chose to tire out the enemy by declining a battle; content with snatching some little advantages, that opportunity threw into his hands, without suffering them however to gain any against him.

"*Sylla*, on the other hand, was ever active and enterprising; he had not yet obtained the Consulship, and was now fighting for it, as it were, in the sight of the Citizens; so that he was constantly urging the enemy to a battle, and glad of every opportunity to signalize his military talents, and eclipse the fame of *Marius*; in which he succeeded

Chap. viii. *The Roman History.*

238

than he, before their arrival at that dignity.

Y. R. 365.
Bef. Chr.

"ceded to his wish, gained many considerable victories, and took several of their cities by storm, particularly *Stabia*, a town of *Campania*, which he utterly demolished. *Cicero*, who seems to have followed his camp, as the chief scene of the war, and the best school for a young volunteer, gives an account of one action, of which he was eye-witness, executed with great vigour and success: That as *Sylla* was sacrificing before his tent in the fields of *Nola*, a snake happened to creep out from under the bottom of the altar, upon which *Posthumius*, the *Haruspex*, who attended the sacrifice, proclaiming it to be a fortunate omen, called out upon him to lead his army immediately against the enemy; *Sylla* took the benefit of the admonition, and drawing out his troops without delay, attacked and took the strong camp of the *Samnites* under the walls of *Nola*. This action was thought so glorious, that *Sylla* got the story of it painted afterwards in his *Tusculan villa*."

87.
364. Conf.

"*M. Montesquieu* observes, that the grant which the Romans made to the *Italian* allies of the rights of the City, though considered at first as the foundation of a perpetual peace, was one of the causes that hastened the ruin of the state: "for the enormous bulk, to which the City was swelled by it, gave birth to many new disorders, that gradually corrupted, and at last destroyed it; and the discipline of the Laws calculated for a People, whom the same walls would contain, was too weak to keep in order the vast body of *Italy*: So that from this time chiefly all affairs were decided by faction and violence, and by the influence of the great; who could bring whole towns into the Forum from the remote parts of *Italy*; or pour in a number of slaves and foreigners under the form of Citizens; for, when the names and persons of real Citizens could no longer be distinguished, it was not possible to know, whether any act had passed regularly, by the genuine suffrage of the People." *De la Grandeur des Romains*, c. ix.

This observation is doubtless very just; but it were to be wished, that the ingenious writer, or his ingenious admirer, *Dr. Middleton*, had told us, how it was possible for the Romans to avoid making that concession, without exposing themselves to inevitable ruin.

Midd. Life
of Cic. p.
21.

Y. R. 665.
Bef. Chr.
87.
364 Conf.

But, probably, the credit and influence of *Marius* had stood in the way of his ambition. He now obtained the Consular Fasces, and the People gave him for his colleague *Q. Pompeius Rufus*.

Diod. Sic.
in Eclog.
l. xxxvii.

The affairs of the allies continuing to decline, they sent an embassy to *Mithridates* king of *Pontus*, requesting succours from him. The king answered, that he would pass into *Italy* as soon as he had subdued *Asia*.

Jul. Obf.
c. liv.
App. p.
332.

Pompeius, if *Diodorus* is to be credited, raised an army of above 50000 men, 21000 of which were slaves. With these forces he retook *Bovianum*, but was defeated in battle by *Mamercus*, and afterwards lost his life in an engagement with *Metellus Pius*.

App. loc.
cit.
Vell. Pat.
l. ii.
Strab. l. v.
p. 241.

The *Samnites* and *Lucanians* still continued in arms; but we hear of no more warlike exploits performed by them, or against them: The *Romans*, sufficiently employed by their civil broils, and their war abroad with *Mithridates*, had little leisure to attend to the total reduction of the revolted *Italians*. But, in conclusion, each nation of these allies obtained the Freedom of *Rome* successively, upon laying down their arms. Even to the *Samnites* and *Lucanians*, was at length granted the same privilege^a. And though some *Roman* historians would disguise it, it seems plain that the Republic granted the Freedom of the City, not generously to each nation after subduing it, but by treaty, and as a condition of Peace.

Vell. Pat.
l. ii. c. 15.

In this war perished 300000 men, *Romans* and *Italians*.

C H A P. IX.

The occasion of the FIRST Mithridatic War. It commences under the conduct of THREE Roman Generals.

TO check the progress of *Mithridates*, was now the great affair of the Republic: He had made no opposition to *Sylla's* replacing *Ariobarzanes* on the throne of *Cappadocia* (in 661); yet, not long after, had contrived to have him driven from thence a second time.

Tigranes, king of *Armenia*, by his conquests, had very much extended the dominions left him by his ancestors, and had formed a mighty empire. In order to draw him into a war with the *Romans*, *Mithridates* first engaged him to marry his daughter *Cleopatra*, and then, by the agency of *Gordius*, prevailed with him to undertake the dethroning of *Ariobarzanes*; the *Armenian* not imagining, that he should thereby give offence to the *Roman Republic*. The *Cappadocian* king, inactive by nature, and unable to withstand so powerful an invader, retired out of the country upon the first approach of *Tigranes*, and carried off all his substance.

Nicomedes Philopater, King of *Bithynia*, dying about this time, his son *Nicomedes* succeeded him, and was confirmed on the throne by a decree of the *Roman Senate*. He had a brother, *Socrates*, surnamed *Chrestus*, who, it seems, made pretensions to the kingdom. This man, with the assistance

Y. R. 665,

Vid. *supra*
p. 202.

Just. l.
xxxviii. c.
3.

Y. R. 665.
Bef. Chr.

87.

364 Conf.

Vid. supr.
p. 186.

200 A. V.

700 A. V.

200 A. V.

Just. l.
xxxviii, c.

v. 1111111

ance of some forces lent him by *Mithridates*, drove out *Nicomêdes*, and took his place.

The two dethroned kings repaired to *Rome*, and there made their complaints to the Senate, who ordered some commissioners, at the head of whom was that *Manius Aquilius*, who terminated the war of the slaves in *Sicily*, to go into *Asia*, and, in conjunction with *Cassius*, then Proconsul of *Asia*, and even with *Mithridates* himself, reinstate *Ariobarzanes* and *Nicomêdes* in their respective kingdoms. *Mithridates* would not give assistance to these commissioners; yet he quietly suffered them to restore the dethroned kings; and he put to death *Socrates Chrestus*, who had taken refuge in his dominions.

During this seeming inaction of the king of *Pontus*, he took measures to strengthen himself, by an offensive treaty of alliance, which he made with *Tigranes*. It was agreed between them, that, of the conquests they should make, the cities and countries should belong to *Mithridates*, and all the men and plunder to *Tigranes*; who, in this article, had a view to the peopling of *Tigranocerta*, which he was then building, and which he intended to make one of the greatest cities in the world. The king of *Pontus* gained likewise to the interest of his cause the *Gallo-Greeks*, the *Sarmatae*, the *Bastarnæ*, and the *Scythians*; in a word, he armed almost all *Upper Asia* against the *Romans*. Nevertheless, to preserve the appearance of justice, he forbore all acts of hostility against them, and confined himself to observing

Chap. ix. *The Roman History.*

235

observing their motions. It was in these circumstances, that he received an embassy from the *Italian* states to invite him to join his forces with theirs; but, at that time, the affairs of *Asia* were too much embroiled to permit his absence.

Y. R. 663.
Bef. Chr.
87.
364 Conf.

The occasion he wanted and wished for, to enter upon action, was soon furnished him by the *Roman* generals; who, for the sake of enriching themselves, had meditated the kindling a war in *Asia*; with this view they endeavoured to persuade *Nicomedes* and *Ariobarzanes* to invade the dominion of the king of *Pontus*; promising to lend them assistance. Neither of the kings was willing to provoke so powerful a neighbour: But, at length, the *Bitbynian*, who owed a great sum of money to the *Roman* generals, and commissioners, for his restoration, besides what he had borrowed at interest from the *Asiatic Romans*, entered the territories of *Mithridates* in a hostile manner, and ravaged the country, as far as *Amastris*. The king of *Pontus* had a considerable army on foot, yet suffered, without resistance, these depredations, that he might have many and just causes for the war: and though he knew that the *Roman* commissioners had incited the *Bitbynian* to make this incursion, he dissembled his knowledge of it, and sent one *Pelopidas*, to represent to them, that *Mithridates* was the friend and ally of *Rome*, and to desire that they would assist him against *Nicomedes*, or, at least, oblige that prince to give him satisfaction for the injuries he had already suffered from him. The *Bitbynian* Ambassadors, on the other hand, ac-

App. Mi-
thrid. p.
177.

Idem, p.
178.

Y.R. 665.

Bef. Chr.

87.

364 Conf.

cus'd the king of *Pontus* of ill designs against the *Roman* Republic; designs, which, they said, he had sufficiently discovered, by assisting *Socrates* to dethrone their master, whom the Senate and People of *Rome* had declared king of *Bithynia*; by having seized upon many places in the *Thracian Chersonesus*, though the *Romans* had forbidden all the *Asiatic* kings to hold any possessions in *Europe*; and by the great preparations he had made for war, and the numerous alliances he had formed. *Pelopidas* replied, that there was no occasion for long disputes, the commissioners seeing very well the state of affairs, and therefore he again desired they would restrain *Nicomedes*, or grant aid to *Mithridates*, or suffer him to defend himself. As the king of *Pontus* had not yet violated the league with *Rome*, the commissioners were at a loss what answer to return. At length they pronounced, that it was not their pleasure *Nicomedes* should molest *Mithridates*, nor would they allow the king of *Pontus* to make war upon the king of *Bithynia*, it being contrary to the interest of the *Roman* Republic, that the *Bitthynian* should suffer any detriment. *Pelopidas* would have objected to this declaration, but they would not hear him.

Mithridates, on his return home, thinking himself openly injured by the *Romans*, sent his son *Ariarathes* with an army into *Cappadocia*, to seize the kingdom; which he did without great difficulty. After this expedition, the king of *Pontus* dispatched *Pelopidas*, a second time, to the commissioners. The Ambassador told them, that
what

what had been done in *Cappadocia*, contrary to their inclinations, was entirely owing to the iniquity of their conduct, and the prevarication of their answers; that his master had sent to *Rome* a complaint against them, and that he summoned them to appear there, and defend their cause. He then admonished them not to enter upon a war, without being authorized by a decree from the *Roman* Senate and People, and boasted of the greatness of *Mithridates*, reckoning up the nations that were subject to him, and the number of his allies; and concluded, with asking them, either to restrain *Nicomedes* from making war upon *Pontus* (in which case he promised them his master's assistance to reduce the *Italians*), or renounce that specious league, which had nothing of friendship in it, but the name. Provoked at this discourse, the commissioners ordered *Mithridates* totally to quit *Cappadocia*, and to forbear all hostilities against *Nicomedes*; adding, that they would take effectual care, that *Ariobarzanes* should be immediately restored to his dominions. They then commanded the Ambassador to leave their presence, and forbid him to return, unless the king obeyed the *Romans*.

Without waiting for orders from the Senate, the commissioners hastened to form a mighty army. *Bitbynia*, *Cappadocia*, *Paphlagonia*, and *Gallio-Greece*, furnished them with troops, which, added to the *Roman* forces, made up 120000 men. These they divided into three equal bodies, commanded by three generals; *L. Cassius*, Proconsul of *Asia*, *M. Aquilius*, and *Q. Oppius*. The Proconsul encamped

Y. R. 665.

App. in
Mithridat.
p. 180.

Idem, p.
181.

Y. R. 665.
Bef. Chr.
87.
364 Conf.

camped on the confines of *Bithynia* and *Gallia*. *Greece*; *Aquilius* seized the passes by which the king of *Pontus* might enter *Bithynia*; and *Oppius* posted himself on the borders of *Cappadocia*. They had also a fleet, which, under the command of *Minucius Rufus*, and *C. Popilius*, guarded the streights of the *Euxine* sea. Besides these forces, *Nicomedes* brought into the field an army of 50000 foot and 6000 horse.

On the other hand, *Mithridates* made it appear, that *Pelopidas* had not exaggerated, when he boasted of his master's strength. The king's army consisted of 250000 foot, and 40000 horse. He had besides 130 armed chariots, and 400 ships of war. His son-in-law, *Tigranes* of *Armenia*, assisted him in this war; and the kings of *Parthia*, *Syria*, and *Egypt*, favoured his cause. His chief generals were *Neoptolemus* and *Archelaus*, two brothers, *Cappadocians*; but he frequently commanded in person.

Strab. l.
xii. p. 562.
App. Mi-
thrid. p.
182.

Near the river *Amnias* in *Paphlagonia*, *Neoptolemus* and *Archelaus*, with the light-armed infantry, 10000 *Armenian* horse, and some chariots, attacked *Nicomedes*, though greatly superior in numbers, and totally overthrew him. The king of *Pontus* treated all the prisoners kindly, and sent them home without ransom. This victory, obtained without the assistance of the phalanx, and without advantage of ground, over superior numbers, by the skill of the generals, and the bravery of the soldiers, made the *Roman* commissioners perceive, that they had been more hasty, than wise, to kindle a war of such consequence,

Idem, p.
183.

quence, before they were authorized by a public decree.

On the approach of *Mithridates*, *Aquilius* retreated; *Neoptolemus* pursued him, forced him to an engagement, and defeated him. He fled to the river *Sangar*, crossed it in the night, and continued his flight to *Pergamus*. *Cassius*, on this news, retired to *Leontocephale*, a strong castle in *Phrygia*; but soon quitted that place, and shut himself up in *Apamea*. *Nicomedes* took refuge in *Pergamus*; *Oppius* in *Laodicea*. The land forces of the *Romans* being thus dispersed, their fleet deserted the entrance of the *Euxine* sea, and left the *Bithynian* ships a prey to *Mithridates's* Admiral. In a short time, all submitted to the King of *Pontus*. He treated the inhabitants with great clemency, forgave the debts they owed to the crown, and remitted the customary tribute for five years.

After this, he over-ran *Phrygia*, *Mysia*, *Asia Propria*, *Lycia*, and *Pamphylia*. Few places made any resistance, and he possessed himself of all the towns and islands of *Asia Minor*, except *Rhodes*. The *Laodiceans* having, on the King's summons, delivered up to him *Q. Oppius*, the *Roman* General, he spared his life, but led him about as a spectacle. *Aquilius*, the author of the war, whom the people of *Mitylene* in *Lesbos* had delivered up, was treated with extreme rigour. *Mithridates* made him go along with the army, mounted upon an ass, and forced him frequently to proclaim, that he was *Manius Aquilius*, the *Roman* Proconsul.

Y. R. 66y.
Bef. Chr.

87.
364 Conf.

Justin. l.
xxxviii. c.
3.

Liv. Epit.
lxxviii.
App. Mi-
thrid. p.
184.

Val. Max.
l. ix. c.
13. § 1.
Plin. l.
xxxiii. c.
3.

Y. R. 665.
Bef. Chr.
87.
354 Conf.

Proconsul. At last he caused him to be put to death at *Pergamus*, by pouring melted gold down his throat, in reproach of the *Roman* avidity.

C H A P. X.

Civil commotions raised by MARIUS and SYLLA (now Consul, Year of Rome 665). SYLLA procures the banishment of his rival. The distresses and adventures of MARIUS. He passes into Africa. He returns into Italy on the invitation of CINNA, Consul in 666. The violence and cruelties of MARIUS and CINNA. MARIUS dies in his seventh Consulship, Year of Rome 667.

Plut. in
Syll.

App. de
Bell. Civ.
l. i. p. 383.
Plut. in
Mar.

AS the Republic had resolved to send an army against *Mithridates*, the Consul *Sylla*, among many competitors, shewed an extreme eagerness to have the command of it; and, either by lot, or by appointment, it fell to him. *Marius* had long set his heart upon this commission; for, notwithstanding his years and infirmities, he was still tormented with ambition and the thirst of glory, passions (says *Plutarch*) which never grow old in man. His avarice likewise sided with his ambition: *Asia* abounded with riches, and a war in that country he thought would be more lucrative than difficult. Nevertheless, he pretended that his sole reason for desiring this province, was to have an opportunity of teaching his son the art of war. To persuade the People, that he

he had yet a constitution fit to endure the fatigues of a military life, he daily went into the *Campus Martius*, and there, though seventy years of age, and extremely corpulent, performed his exercises among the *Roman* youth, contending with them in horsemanship, &c.

The better to succeed in his project, he joined himself with *P. Sulpicius*, then Tribune of the People. This man, says *Paterculus*, was rich and eloquent, had great talents, great spirits, and great interest; and whereas formerly he had endeavoured to establish to himself a name, by honourable methods, yet now, as if he repented of his virtues, he, all on a sudden, ran headlong into wickedness. When very young, he had signalized himself, by accusing of treason the famous *C. Norbanus*, whom *Antonius*, the orator, defended. He is mentioned in several parts of *Cicero's* works*, and with great commendation of his eloquence. His entrance into public life, according to that author, was very promising: but his eagerness, when Tribune, to hinder *C. Caesar Strabo* from being Consul before he had passed through the *Prætorship*, and the applauses he met with from the People, on that occasion, carried him farther than he at first intended. *Plutarch* tells us, that in *Sulpicius* were united cruelty, impudence, avarice, and all sorts of vice: so that it was needless to enquire wherein his wickedness exceeded that of other

Y. R. 665.
Bef. Chr.
87.
364 Conf.

Vell. Pat.
l. ii. c. 18.

Cic. de O-
rat. l. ii.
c. 47. &
seq.
Id. de O-
rat. l. i.
7.
De Har-
Resp. c.
20.
In Brut.
c. 63.
Plut. in
Sylla & in
Mar.

* *De Har. Resp. c. 19. In Brut. c. 19. 55. Cicero makes him one of the speakers in the three dialogues he composed de Oratore.*

Y. R. 665.
Bef. Chr.
87.
364. Cons.

Auct. ad
Herenn. l.
ii. c. 28.

Plut. in
Sylla.
64 l. 118.
3 d. Ar-
buthnot.

men, but wherein it surpassed itself. It seems, he proposed *Saturninus* for his model, and, as the only thing which he blamed in that model, was his not being daring and quick enough in his enterprizes, he himself immediately appeared attended with a guard of 3000 men, among whom were 600 Knights. This guard he called the *Anti-senate*. He also publicly sold the freedom of the City to strangers and freedmen ^b, and received the money at a table placed in the Forum. One of his colleagues had proposed a Law for recalling those exiles ^c, who had been sent into banishment without being heard; but *Sulpicius* would not suffer the Law to pass. Afterwards, nevertheless, he himself proposed the same Law, without allowing it to be the same, because he had changed the word *exiles* into the words *those who had been ejected by force*. He then proposed several other Laws, among which one prohibited the Senators from contracting debts ^d above the value of 2000 *denarii*. Another ordered, that the new Citizens (meaning the *Italians*) and the freedmen should not, in voting, be confined to certain tribes, but be dispersed through the whole; a third was for trans-

^b The Roman freedmen had not a title to all the rights of Citizenship.

^c It would seem, that by the exiles are meant those who had been banished by the *Lex Varia*, mentioned above, p. 111.

^d Yet, after the death of *Sulpicius*, it was found, that he himself had contracted debts to the amount of three millions of *denarii*, that is, about 96,875 pounds sterling.

ferring

Chap. x. *The Roman History.*

ferring from *Sylla* to *Marius* the conduct of the Asiatic expedition.

To defeat these projects, the Consuls proclaimed holidays, which lasted a long time, during which, it was not lawful to assemble the Comitia: but the Tribune, having gathered about him a multitude, went to the Senate-house, and commanded the Consuls, *Pompeius* and *Sylla*, to revoke their edict concerning the holidays, that the People might give their votes with regard to the Laws in question. The Consuls refused: *Sulpicius's* party drew their daggers; *Pompeius* made his escape, his son was killed, and *Sylla*, being closely pursued, took refuge in *Marius's* house. Some say, that *Marius* let him out at a back-door: but *Sylla*, in his own Memoirs, quoted by *Plutarch*, denied that he took refuge in *Marius's* house, and affirmed, that *Sulpicius's* followers forced him thither, and then obliged him to return to the Forum, and revoke the edict in question*. Be that as it will, it is certain, he revoked the edict, for which reason *Sulpicius* left him in possession of the Consulship, degrading only his colleague *Pompeius*. *Sylla*, immediately after the tumult, left the City, and joined his army, then employed in the siege of *Nola*, which still held out against the Republic. The Tribune, having obtained the Laws he pro-

* *Vell. Pat.* and *Eutropius* say, that *Sylla* was with an army in *Campania*, during this tumult, contrary to what *Plutarch*, *Appian*, and *Sylla's* own Memoirs affirm. [If those Memoirs of *Sylla* were genuine, it may reasonably be asked, why did not *Paterculus* follow them?]

Y. R. 665.

Liv. Epit.
l. lxxvii.
Ascon. in
Orat. in
proCorn.
App. de
Bel. Civ.
l. i. p. 383.
App. p.
384.

Plut. in
Sylla & in
Mar.

V. R. 665.
 Bef. Chr.

87.
 364 Conf.

posed ^f, sent two officers to *Nola*, to receive the army from *Sylla*; but the soldiers fell upon them, and murdered them. *Marius*, in revenge, put to death many of *Sylla's* friends in the City, and confiscated their effects. In the mean time *Sylla* marched his troops, consisting of 30,000 foot, and 5000 horse, towards *Rome*. *Appian* tells us, that they followed him very readily, because they hoped, that under his conduct they should enrich themselves by the plunder of *Asia*, and feared lest *Marius* would make use of another army in the *Mithridatic* war. All things were in confusion at *Rome*. Some (among whom was the Consul *Pompeius*) fled to the camp of *Sylla*, while others, deserting *Sylla* ^g, took refuge in the City. The Senate found themselves obliged to obey the orders of *Sulpicius* and *Marius*. These, on *Sylla's* approach, sent to him two of the Prætors, *Servilius* and *Brutus* ^h, forbidding him to proceed any farther on his march.

^f According to *Appian*, *Sulpicius* concealed his design of giving the conduct of the *Mithridatic* war to *Marius*, till after the tumult above mentioned, and his obtaining the Law, authorizing the new citizens and the freedmen to vote in all the tribes: nor did *Sylla* suspect any thing of the matter till he joined his army at *Nola*.

The same writer tells us, that none of *Sylla's* principal officers staid with him, except his Quæstor.

^h Ambassadors were sent several times to *Sylla* to enquire, why he approached the City in arms? to which he always answered, that his design was to rescue it from tyranny. At last *Marius* and *Sulpicius* sent orders to him, in the name of the Senate, not to come within five miles of *Rome*. *Appian*.

The

The soldiers insulted those Magistrates, pulled off their robes, and broke the Fasces of their Licitors. Hereupon the Senate dispatched new Ambassadors to *Sylla*, intreating him not to come nearer the City, and promising to satisfy him. He answered, that he would stay where he was; and, as if he intended so to do, ordered a camp to be marked out: but the Ambassadors were no sooner gone, than he detached two of his officers, with a body of men, to seize one of the gates of *Rome*, and the wall near the *Esquiline* hill. The detachment entered the City, but the inhabitants drove them back to the foot of the walls. In that instant, *Sylla* arriving, commanded his men to set fire to the houses, and he himself gave the example. *Marius*, *Sulpicius*, and their followers, made what resistance they could; and promised freedom to all slaves that would arm in their cause. Few or none daring to join them, they fled out of the City. *Sylla* marched on to the Capitol, where he assembled the Senate; and proposed to them the banishment of *Sulpicius*, *Marius*, and the son of *Marius*, together with nine more of their principal adherents. Of all the Senators, *Q. Mucius Scævola* was the only man who refused to concur in this vote; and when *Sylla* endeavoured to terrify him by menaces, he boldly answered, "Al-
though you should threaten me with death,
and give me up to those soldiers, with whom
you have surrounded the Senate-house, you
shall never persuade me, for the sake of a life,
now exhausted to the dregs, to pronounce *Ma-*

Y. R. 665.
Bef. Chr.
87.
364 Conf.

Val. Max.
l. iii. c. 8.
§ 5.

Y. R. 665.
Bef. Chr.

87.
364 Conf.

Val. Max.
l. vi. c. 5.
§ 7.

App. de
Bell. Civ.
l. i. p.
386.

Plut. in
Sylla.

"*rius* an enemy, who has saved *Italy* and *Rome*." The decree passed; and it would seem that *Sylla*, by edict, set a price upon the heads of the exiles, and confiscated their estates.

Sulpicius, being taken through the treachery of his slave, was put to death, and his head fixed upon the *Rostra*. To reward the slave, *Sylla* gave him his freedom; and, to punish his treachery, caused him to be thrown headlong from the *Tarpeian* rock. The two Consuls, after their victory, took great care that the City should not be pillaged by the soldiers. The next day, having convened the *general assembly*, they notified, that, for the future, the People should not be assembled by tribes, but by centuries, and that nothing should be brought before the *Comitia*, till it had been first approved by the Senate. They likewise annulled all those acts of *Sulpicius*, which had been passed since the proclamation of the holidays: and, to have a Senate at their devotion, they created (if we may believe *Appian*) three hundred new Senators. To the Consul *Pompeius* was assigned the command of an army, which then served under his kinsman *Cn. Pompeius Strabo*, who had reduced *Asculum*.

Affairs being thus regulated, *Sylla* sent his troops before him to *Capua*, intending soon to set out for *Asia*. The *Marian* faction, in the mean time, laid a snare (as it is said) for his life, and the People were so exasperated against him, that, at the election of certain magistrates, they not only passed by his nephew and his friend, but chose two of the candidates, whom they thought the

the most disagreeable to him. On this occasion he affected to say, that he was pleased to see the People make use of the liberty he had procured them.

Y. R. 665.
Bef. Chr.
87.
364 Conf.

When the Consul *Pompeius* came to take the command of the army appointed him, *Strabo* gave it up to him, without any seeming reluctance: But the next day, the soldiers, suborned by their old general, fell upon the Consul, while he was sacrificing, and killed him. *Strabo* pretended to be in great wrath for this murder, yet he resumed his former command.

App. p.
388.

At Rome, *Sylla*, to ingratiate himself with the People, suffered them to give the Consular fasces to *L. Cornelius Cinna*, a Patrician of their own party; but had the precaution to make him solemnly swear, he would support *his* interest. The other Consul was *Cn. Octavius*, a peaceable man, and a strict observer of the Laws.

Vell. Pat.
l. ii. c. 20.
Val. Max.
l. ix. c. 7.
§ 6.
Y. R. 666.
Bef. Chr.
86.
365 Conf.

Cinna, rash in counsel (says *Paterculus*) but a man in action, dared what no man of virtue would dare, and performed what none but a man of the greatest resolution could have performed. No sooner did he enter upon his office, than he began to entertain projects for overturning all that *Sylla* had done; and even excited *Virginus*, a Tribune of the People, to accuse him of a capital crime: But *Sylla*, neglecting the accusation, set out for his province. According to *Appian*, the friends of the exiles, depending upon *Cinna*, began to revive *Marius's* proposal of dispersing the new Citizens among all the tribes; and *Cinna* had been gained to favour

Plut. in
Sylla.
Vell. Pat.
l. ii. c. 24.
Plut. in
Sylla.

App. p.
389.

Y.R. 666.

58125 l.
Arb.Plut. in
Sertor.

this project, by a bribe of 300 talents: His colleague *Octavius* undertook the cause of the old Citizens. On the day, when the Comitia met to determine concerning this affair, the two parties, each headed by a Consul, came to a battle in the Forum: victory declared for *Octavius*, and, if one may believe *Plutarch*, near 10000 of the new Citizens were slainⁱ.

Cinna, who had depended upon his superiority in number, seeing his party, contrary to his expectation, defeated, ran up and down, inviting the slaves, by a promise of liberty, to take arms. This stratagem not succeeding, he left *Rome*, and made a progress through several towns of the allies, soliciting them every where to revolt, and raising money for the expences of the war. While he was thus employed, *C. Marius Gratidianus*, *C. Milonius*, and *Q. Sertorius*^k

ⁱ *Appian* relates the affair thus. *Cinna* and his party, armed with daggers under their gowns, took possession of the Forum. *Octavius*, attended by the honest part of the People, armed likewise with daggers, kept at home, till he was informed, that the majority of the Tribunes, having forbid proceeding to pass the Law, the new Citizens had driven them from the Rostra; then he, and his followers, broke like a torrent into the Forum, pushed through the midst of the croud, and having frightened away the rioters, retired to the temple of *Castor*; for out of regard to his colleague he forbore to attack him. Nevertheless, the followers of *Octavius* fell upon the new Citizens, killed many of them, and drove the rest out of the city.

^k *Sertorius*, according to *Plutarch*, was present at the late conflict in the Forum, and fled from thence together with *Cinna*. He had, not long before, stood for the Tribuneship; but though he was so great a favourite of the People, that,

joined

joined him, but the Senate passed a decree against him to this effect: *Because Cinna has deserted the Republic in her danger, and called the slaves to arms, we declare him fallen from his right of Citizenship, and depose him from the office of Consul.* In his place was substituted L. Cornelius Merula, then Flamen Dialis. Hereupon Cinna hastened to Capua, where was quartered a Roman army, and having gained the officers who commanded it, and, by their means, got the troops convened, he entered the Assembly without the Fasces, and in the habit of a private man. Then, with tears, addressing himself to the soldiers: *From you, Citizens, I received the honour of the Consulship: what you gave me by your suffrages, the Senate, without consulting you, has taken from me. This injury I do not lament so much for my own sake, as for yours. What occasion will there be hereafter to court the favour of the tribes? What occasion for Assemblies and Comitia? And wherein can you be useful, if you suffer your determinations to be so easily annulled?* After complaining much of his own misfortunes, he rent his garment, and coming down from the place where he had harangued, threw himself upon the ground, before the Assembly. The soldiers, moved with compassion, raised him up, gave him back his Fasces, and desired him to take courage, and lead them wherever his affairs should require. That this opportunity might not be

one day, when he entered the Theatre, they broke out into a shout of applause, yet he lost his election through the influence of Sylla's party. *Plut. in Sertor.*

lost,

Y.R. 666.

Bef. Chr.

36.

365 Conf.

lost, both officers and soldiers immediately took an oath of fidelity to *Cinna*.

In the mean time, *Octavius* and *Merula* made diligent preparation for the defence of *Rome*, and sent to make levies of soldiers, not only among the allies, but among the *Gauls*. They, moreover, ordered *Cn. Pompeius Strabo* to come instantly with his army to the assistance of the Republic. He had continued at the head of this army ever since the murder of his kinsman (*Sylla's* colleague in the Consulship), who had been appointed to command it, as we have before observed. Some say, that *Strabo* first offered his service to *Cinna*, who rejected it: Others, that, by encouraging both parties, he fomented a war which he could easily have suppressed in the beginning. Be that as it will, he marched to *Rome*, and joined *Octavius*, but acted in such a manner, as made it visible he had nothing in view, but his own interest. *Cinna*, on the other hand, to give credit to his party, sent to recal *Marius* and his son from banishment.

Oros. l. v.

c. 19.

Liv. Epit.

l. lxxix.

Vell. Pat.

l. ii. c. 21.

Plot. in
Mar.

We have already seen, that *Sylla* drove *Marius* from *Rome*, and set a price upon his head. In the evening of that day, on which he made his escape, he arrived at a villa of his own, called *Salonium*, and from thence sent his son to some neighbouring farms belonging to his father-in-law *Mucius*, there to provide necessaries for their voyage. He himself went, in the mean time, to *Ostia*, where his friend *Numerius*, having prepared him a ship, he, without staying for his

his son, but taking with him *Granius*, his wife's son by a former husband, weighed anchor. Passing along the coast of *Italy* with a favourable wind, he was in no small apprehension of one *Geminus*, a man of great interest at *Tarracina*, and his enemy. He therefore bade the sailors keep off from that place, and they were willing to obey, but the wind changing, and blowing hard from the sea, and their vessel being scarce able to resist the waves, *Marius*, too, being indisposed, and sea-sick, it was with great difficulty they could get so far as *Circeii*, on this side of *Tarracina*.

The storm now increasing, and their provisions failing, they went on shore, and wandered up and down they knew not whither; avoiding, as it usually happens in great dangers, the present evil, and relying on uncertain hopes. The land and the sea were both perilous: they feared to meet with people, and yet, wanting food, feared more to meet with nobody. Towards night they lit upon a few poor herdsmen, who, unhappily, had nothing to give them: but, knowing *Marius*, they advised him to get away, as soon as possible, for they had seen a party of horse in search of him. *Marius*, seeing that his attendants, spent with long fasting, were unable to go farther, turned aside out of the road, and hid himself in a thick wood, where he passed the night in great distress. The next day, though pinched with hunger, yet willing to make use of the little strength he had left, he travelled by the sea-side, encouraging his companions by

I

prophecies,

Y.R. 666.

Bef. Chr.

86.

365 Conf.

prophecies, upon which, he said, he depended. He told them, that, when he was a child, he brought home an eagle's nest, in which were seven young ones; and that his parents, much astonished at the accident (for it is said, that an eagle never hatches more than two), having consulted the diviners, these had declared, that he would be the greatest amongst men, and be seven times possessed of the highest magistracy in his country.

When he and his company were now about two miles and a half from *Minturnæ*, they espied a troop of horse making towards them with all speed, and, at the same time, two ships pretty near the shore. Hereupon they ran as fast as they could to the sea, and plunging themselves into it, swam to the ships: *Granius*, and those that were with him, got into one of them, and passed over to the opposite island, called *Ænaria*. *Marius*, heavy and unwieldy, was, with much difficulty, borne above the water by two slaves, and put aboard the other ship. In this instant, the soldiers arrived at the sea side, and from thence called out to the mariners, to bring their vessel to shore, or else to throw out *Marius*. He, on the other hand, besought them with tears, not to deliver him up to his enemies. The mariners, after a consultation, wherein they inclined sometimes to the one side, sometimes to the other, at length answered positively, that they would not deliver up *Marius*. But, soon after the soldiers were gone away, and out of sight, the sailors brought the vessel to an anchor, at the mouth

mouth of the *Liris*, where it makes a great marsh; and then they advised *Marius* to go on shore, and refresh himself, till the wind should come fair, which, they said, would soon happen; for that when the sea breeze fell, there generally arose a fresh gale from the marsh. *Marius* listened to their advice, and, when they had set him on shore, he laid himself down in a place not far from the sea, not in the least suspecting what was to befall him: for the mariners, presently after, weighed anchor, and sailed away, not thinking it excusable to deliver *Marius* into the hands of those who sought to destroy him, nor consistent with their own safety to protect him. Deserted thus by all, he lay a good while silent on the ground: at length, collecting the remains of his strength, he got up, and travelled along most disconsolately. After wading through bogs, and ditches full of water and mud, he at last stumbled upon an old man's cottage, who worked in the fens. Falling at his feet, he besought him to give assistance to a person, who, if he escaped the present danger, would make him returns beyond his expectation. The poor man, whether he had formerly known *Marius*, or was then moved, says *Plutarch*, with the majesty of his countenance, answered, *If you want only rest, you may repose yourself conveniently in my cottage; but if you are flying from an enemy, I will hide you in a more retired and secret place.* *Marius* having desired he would do him that good office, the old man led him to a cave by the river side, and there covered him with reeds, and other light

Y. R. 666.

Bef. Chr.

86.

365 Conf.

light things, which would conceal, but not burden him. Scarce had he laid himself down, when he was disturbed by a great noise from the cottage. His enemy, *Geminus*, had sent horsemen from *Tarracina* in pursuit of him, and some of them happening to come that way, most severely menaced the poor old man, as one who had entertained and concealed an enemy of *Rome*. *Marius*, thinking himself in imminent danger, stripped off his clothes, and, leaving his concealment, plunged himself into a great pool of water. From thence his pursuers dragged him naked, and all covered with mud, and, in that condition, carried him away to *Minturnæ*, where they delivered him into the hands of the magistrates. There had been published throughout all the towns of *Italy*, a decree of the Senate, importing, that search should be made for him, and that he should be put to death, if he were found. The magistrates, therefore, in obedience to this decree, cast him into prison, and sent a slave, belonging to the Public, a *Cimbrian* by birth, to cut off his head: for none of their own citizens would undertake the office.

Liv. Epit.

l. lxxvii.

Vell. Pat.

Val. Max.

Plut. App.

& alii.

Cic. pro

Plan. c. 10.

pro Sext.

c. 22.

Plut. in

Mar.

Several authors have reported, that *Marius*, seeing the slave enter the prison, said to him with a strong voice, *Hast thou the audaciousness to kill Marius?* and that, at these words, the *Cimbrian* instantly ran away into the town, and, throwing down his sword before the people, cried out, *I have not the power to kill Marius:* nevertheless, it would seem, from certain passages in *Cicero*, that this story is an invention of some

of

of the later writers. Be that as it will, the *Min-
turnenses* furnished *Marius* with a ship and provi-
sions; he sailed first to *Anaria*, where having
found *Granius*, and the rest of his company, that
had escaped thither, he, together with them,
steered his course toward *Africa*. Want of
water forced him to put in near *Eryx* in *Sicily*.
A Roman Quæstor, who guarded that coast, fell
upon *Marius* at his landing, slew sixteen of
his men, and was near taking him prisoner. The
illustrious fugitive, however, at length arrived in
Africa, and went on shore near *Carthage*, in the
hope that *Sextilius*, the Prætor of that province,
a man to whom he had done neither good nor
harm, would, out of mere compassion, assist him
in his distress. But scarce was he landed, when
an officer from *Sextilius* forbid him to set foot in
that country, and declared to him, that if he
did not obey, he would be treated, conformably
to the decree of the Senate, as an enemy of
Rome. *Marius*, struck with astonishment at this
message, remained a considerable time without
speaking a word, his eyes fixed upon the mes-
senger. The man, at length, asked him, what
answer he should carry back to the Prætor: *Go
tell him* (said *Marius*), *that you have seen Ma-
rius, an exile from his country, and sitting among
the ruins of Carthage*: meaning by this (says
Plutarch) to propose the fortune of that city,
and his own fortune, as instructive lessons to the
Prætor. He went again on board, and wan-
dered about in those seas, a great part of the
winter. His son *Marius*, who had taken refuge
in

Y. R. 666.

Bef. Chr.

86.

365 Conf.

V. R. 666.

Bef. Chr.

86.

365 Conf.

in the court of *Mandrestal* (or, as *Plutarch* calls him, *Hiempsal*), King of *Numidia*, came from thence, and joined his father.

We left the younger *Marius* in *Italy*, at some farms belonging to *Mucius*, whither he had been sent to get necessaries for his father's voyage, the very day his father set sail from that country. While the son was busy in executing his commission, he had like to have been surprised by some troopers, who were in search of his father; but, by the care of *Mucius's* steward, who had notice of their approach, he was put into a cart covered over with beans, and conveyed to his wife at *Rome*. From thence, together with *Cethegus*, and some others, he made his escape in the night, went on board a ship, passed into *Africa*, and there implored the protection of the King of *Numidia*. *Hiempsal* treated him, and his companions, with great civility; but whenever they expressed an intention to depart, found some pretext or other to detain them, and it was manifest he made those delays with no good design. An accident contributed greatly to their preservation. The hard fortune of young *Marius*, who was very handsome, nearly touched one of the King's concubines; and this her pity was the beginning of her love, and a veil to cover it. At first, he avoided all engagements with her; but, finding he had no other probable way of making his escape from *Numidia*, and that her passion was no less generous than violent, he returned it with kindness; and she, in requital, procured him, and his friends,

Chap. x. *The Roman History.*

257

friends, the means of escaping. Having joined his father, they left *Africa*, and sailed for *Italy*, whither *Marius*, as was before mentioned, had been invited by *Cinna*. As soon as they landed, they set about raising soldiers. *Marius* proclaimed liberty to all slaves that would arm in his quarrel, and, in a short time, got together a considerable body of troops; which was soon after strengthened by 500 of his party from *Rome*. He then sent a deputation in form to *Cinna*, offering to serve under him, and obey his orders as Consul. All *Cinna's* officers, except *Sertorius*, were of opinion, that *Marius* should be received. *Sertorius*, a great warrior, but prudent and moderate, and who dreaded the revengeful temper of *Marius*, remonstrated to *Cinna*, that, without the assistance of *Marius*, he was powerful enough to triumph over his enemies; that *Marius*, if received, would rob him of the glory and advantage of the war, and prove a troublesome and unfaithful partner in the government. *Cinna* owned all this to be very just and solid; but he added, *With what face can I reject a man, whom I myself have invited to join with me in the war?* To which *Sertorius* replied, *I thought Marius had come into Italy of his own accord, and therefore I only considered what, in that case, was expedient to be done. But since he is here by your invitation, you ought not to have even deliberated, whether you are to receive and employ him. Your promise given precludes all consultation and uncertainty.*

Y. R. 666.
Bef. Chr.
86.
365 Conf.

Plut. in
Sertor.

Y.R. 666.

Plut. in
Mar.App. de
Bell. Civ.
p. 39¹.
Plut. in
Mar.
Liv. Epit.
l. lxxix.
App. loc.
cit.

Cinna hereupon wrote immediately to *Marius*, gave him the title of Proconsul, and sent him the fasces, and other badges of that dignity. *Marius* would not accept of these honours: he said, they did not suit with his present misfortunes. From the day that he fled from *Rome*, he had worn an old robe, and neglected his hair and beard; and he walked slowly, like a man oppressed with calamities: but, through the disguise of that doleful countenance, something was discerned so fierce, that he rather created terror, than moved compassion. After he had joined *Cinna*, they marched together, and encamped on the *Tiber*: *Cinna* and *Carbo* over-against *Rome*; *Sertorius* above it; and *Marius* lower down towards the sea. The last applied himself to cut off all provisions, that were sent up the river to supply the city; and he possessed himself of several of the maritime towns; and, among the rest, of *Ostia*, which, having reduced it by force, he plundered; and massacred the greatest part of the inhabitants. *Cinna* sent a party of soldiers to take possession of *Ariminum*, that no assistance might be sent to *Rome* from *Gaul*. *Appius Claudius*, to whom the guard of *Janiculum* had been intrusted, received *Marius* and *Cinna* into the place; but they were driven out again by *Pompeius Strabo*, and the Consul *Octavius*, *Strabo* being soon after killed by a flash of lightning^k, the sole command of the

^k *Vell. Pat.* reports, that the plague raged in both armies. He adds, that the joy for the death of *Pompeius* was almost balanced by the grief for the loss of so many citizens as died by the sword, or the pestilence.

army devolved to *Octavius*. The incapacity (says *Plutarch*) of this Consul, was not so detrimental to the public affairs, as was his too scrupulous attachment to the laws: for when they advised him to set the slaves at liberty [in order to make foldiers of them, and prevent their going over to the enemy], he answered, that he could never give to slaves the privileges of that city, the gates of which he had, in obedience to the laws, shut against *Caius Marius*.

Y. R. 666.

Plut. in Mar.

About this time, *Metellus Pius*, the son of *Nu- midicus*, arrived at *Rome*. He had lately commanded an army in *Samnium*, where the Social War was not totally extinguished; and the Senate had desired him to make peace with the *Samnites* upon any honourable terms, and lead his forces to the defence of his country; but while he hesitated about granting the conditions insisted upon by the enemy, *Marius* yielded to all their demands, and they joined themselves to his party.

App. loc. cit.

At *Rome*, the soldiers of *Octavius* deserted him, and offered their service to *Metellus*, who was much the better General; but, upon his reproving them roughly, and ordering them back to the Consul, they went over to *Cinna*.

Plut. in Mar.

Marius, in the mean time, reduced *Antium*, *Aricia*, *Lanuvium*, and several other towns, where the *Romans* had magazines of provisions. After this, the confederate Generals drawing nearer to *Rome*, *Octavius*, *Crassus*, and *Metellus*, marched out to oppose them, but did not think it advisable to trust the safety of their country to the hazard

Appian. P. 392.

Y. R. 666.
Bef. Chr.
86.
365 Conf.

Diod. Sic.
ap. Val. p.
Vell. Pat.
l. ii. c. 22.
App. p.
393.

of a battle. *Cinna* having proclaimed liberty to all the slaves in the city, who should join him, they flocked to him from thence in crouds. The Senate terrified hereby, and fearing the discontent of the people, who suffered greatly through want of provisions, sent deputies to *Cinna* to negotiate a peace. His first question to them was, whether they had a commission to treat with him as Consul, or as a private person: and they not giving him a satisfactory answer, could effect nothing. After their return to the city, *Cinna* advanced and encamped under the walls. Multitudes went over to him, some through fear of famine, others because they favoured his cause, and his nearness gave them an opportunity to escape. The Senate, unwilling to depose *Merula*, who had been appointed Consul in the room of *Cinna*, were in great perplexity. But *Merula*, that he might be no hindrance to the public tranquillity, voluntarily laid down his office; and the Senate immediately dispatched new deputies to *Cinna*, with orders to acknowledge him as Consul¹. They required no other condition of peace, but his taking an oath, not to put to death any of the citizens. He refused to swear^m, but gave them his promise, that none should be slain with his knowledge, or consent; and even desired, that the

¹ According to the Epitome of *Livy*, l. lxxx. the Nobles, forced by the incapacity and treachery of the Generals and soldiers, who, corrupted by money, either would not fight, or went over to the enemy, received *Cinna* and *Marius* into the city.

^m *Appian* says, that both *Cinna* and *Marius* took an oath not to kill *Octavius*.

Consul *Octavius* might leave *Rome*, lest some misfortune should befall him. *Marius* was standing next to *Cinna's* tribunal. He did not speak a word, but the gloominess of his countenance, and the malice that appeared in his eyes, sufficiently prognosticated, that he would soon fill the city with slaughter.

Shortly after this conference, *Cinna* entered *Rome*, surrounded with soldiers, but *Marius* stopped at the gate, saying angrily, *That he was an exile, and forbidden by the laws to enter the City: if therefore they wanted his presence, they must reverse the decree of his banishment.* The people accordingly were assembled; but scarce had three or four of the tribes given their votes, when he, throwing off the mask, entered the city with his guards: a band of about 4000 of the stoutest slaves, whom he had chosen to be ministers of his cruelty. Instantly the gates were shut, that none might escape, and a slaughter ensued, as in a town taken by assault. *C.* and *L. Julius*, with many other considerable Senators, were murdered, and, among the rest, *Antonius* the orator, whose head *Marius* caused to be fixed upon the *Rostra*. The Consul *Octavius* was slain on his tribunal. *Ancharius*, a man of *Prætorian* rank, coming to pay his compliments to *Marius*, was murdered by the guards, because their General took no notice of him; and from that time those slaves made it their practice to murder every man whose salutation *Marius* did not return: so that even his friends never approached him, but with terror.

Y. R. 666.

Plut. in
Mar.

Dio. Cass.
ap. Vales.
p. 642.
Liv. Epit.
l. lxxx.
App. loc.
cit.
Plut. in
Mar.
Vell. Pat.
l. ii. c. 22.
Cic. Tusc.
Quæst. l.
v. c. 19. &
de Orat. l.
lii. c. 3.
Cic. post
red. ad
Quir. c. 3.

Y. R. 666.
 Bef. Chr.
 86.
 365 Conf.

In the midst of these murders, *Marius* assembled the People, and made a speech to them (*Cicero* tells us, he was himself present, and observed, that the old soldier, far from being dispirited by his adversities, seemed to have the strength of his mind renewed). When he had recounted the series of his late sufferings, he told the People, that, being now restored to his dignity, and having recovered all that he had lost, it should still be his principal care to preserve that courage and virtue which he had never lost.

After the first fury of slaughter, the tyrants resolved to proceed against some of their enemies, by way of trial. *Merula*, to avoid an unjust sentence, caused his veins to be opened. As he was priest of *Jupiter*, it was not lawful for him to die with the mitre on his head: he therefore left a writing behind him, signifying that, before his death, he had put off that sacred ornament.

Catulus, the colleague of *Marius* in the *Cimbrian* war, smothered himself with the vapour of charcoal. It is reported, that *Marius*, when the friends of *Catulus* interceded for him, made no answer but, *he must die, he must die*.

Plut. in
 Mar. & in
 Sertor.

Some authors say, that *Cinna* began to cease his cruelties; but that *Marius*, growing daily more thirsty of blood, proceeded to destroy every man of whom he had the least suspicion; till at length *Cinna* and *Sertorius*, having surprised, and surrounded with soldiers, the murderous guards of *Marius*, put every man of them to death.

Many

Many of the Nobles fled to *Sylla*, then in *Greece*: his wife and children likewise, with some difficulty, escaped to him, and he learnt from them, that his enemies had burnt his house, and ravaged his lands.

When the time came for chusing supreme magistrates, *Marius* and *Cinna* declared themselves CONSULS, without so much as the form of assembling the *Comitia*. On the day of their inauguration, *Marius* caused a Senator, named *Sex. Licinius*, to be thrown from the *Tarpeian* rock. His own death soon after put a stop to his cruelties. He died, according to the most probable account, of a pleuritic fever, on the 13th of *January*, about the seventy-first year of his age.

To grace his funeral, *C. Fimbria* (at this time Quæstor Urbanus) ordered *Q. Scævola* (the Pontifex Maximus) to be put to death; and hearing afterwards, that he might recover of the wound he had received, summoned him to take his trial before the People. When somebody asked *Fimbria*, *Of what crime he could accuse so good a man?* he answered, *Of not having received in his body the whole of the weapon with which he was stabbed.*

Y.R. 666.

Y.R. 667.

Bef. Chr.

85.

366 Conf.

Liv. Epit.

l. lxxx.

Vell. Pat.

l. ii. c. 23.

Cic. pro S.

Rof. c. 12.

Val. Max.

l. ix. c. 11.

§ 2.

Vid. Pigh.

ad Ann.

667.

C H A P. XI.

VALERIUS FLACCUS, associated by Cinna in the Consulship for the remainder of the year 667, is likewise appointed by him to succeed to SYLLA's command in Asia.

An account of the progress of Mithridates, after his defeating the three Roman Generals in 665, The arrival of Sylla in Greece in 666. He there vanquishes the armies of Mithridates.

SYLLA passes into Asia, and concludes a peace with the King of Pontus (in 668); returns into Greece in 669; (being the 4th Consulship of CINNA, and the 3d year of his holding that magistracy by usurpation). From Athens SYLLA writes a menacing letter to the SENATE, who had suffered him to be declared an exile, and to be loaded with other injuries and indignities. In 670, he lands in Italy, totally subdues the Marian faction; and proscribes those of his enemies, who had escaped his sword; and, in 671, he is constituted PERPETUAL DICTATOR.

Y. R. 667.
Bef. Chr.
85.
366 Conf.

App. P.
396.

ON the death of Marius, Cinna chose L. Valerius Flaccus to be his colleague in the Consulship, appointing him to succeed Sylla in the conduct of the war against Mithridates ⁿ, and giving him Fimbria for his lieutenant.

ⁿ The king of Pontus, by seizing the effects of the Publicans, and of all the other Italians in Asia, had occasioned an almost universal bankruptcy in Rome. Valerius, before he set out upon his expedition, published a law, importing, that the debtors

We left *Mithridates*, in 665, victorious over the *Roman* armies in *Asia Propria*, and master of all that country, and the islands adjacent, except *Rhodes*. This prince, a second *Hannibal* in his hatred to the *Romans*, dispatched circular letters throughout *Asia*, directing, that the people, on a certain day, should massacre all the *Italians* that were in that country; men, women, and children, freemen, and slaves: and that the effects of the slain should be disposed of, part to his own treasury, and part to the assassins; and he forbade the people, under pain of death, to spare the life of any *Italian*, or to bury him, when dead. Four-score thousand ° of that nation perished in this massacre; and the cruelty, with which the *Asiatics* executed the vengeance of *Mithridates*, shewed plainly (says *Appian*) that they were actuated more by hatred to the *Romans*, than fear of the King.

After this he attacked *Rhodes*, by sea and land, with all his forces; but miscarried in the enterprise P. To hinder the *Romans* from entering *Asia*, he resolved to transport the war into *Europe*. With this view he sent his youngest son (called

should not be obliged to pay to their creditors, more than one quarter of the principal sums they owed. *Cic. pro L. Manil. c. 7. Vell. Pat. l. ii. c. 23.*

• *Plut. (in Sylla)* makes the number amount to 150,000.

• *Cic. (loc. cit.)* tells us, that notwithstanding the *Rhodians* were besieged by *Mithridates*, and that they particularly hated him; yet they did not demolish a statue, which they had formerly erected to him in the most conspicuous part of their town.

Y. R. 667.

Vid. supr. p. 239.

Id. l. ii. c. 18.

Cic. pro L. Manil.

c. 3. App. in Mithridat. p. 185.

Val. Max.

l. ix. c. 2. App. in Mithrid. p. 186.

Cic. 2 in Verr. c. 65.

App. in Mithrid. p. 186. & seq. Plut. in Sylla.

by

Y. R. 667.
Bef. Chr.
85.
366 Conf.

by some *Arctathias*, by others, *Ariarathes*) with a powerful army, through *Thrace* into *Macedon*. *Archelaus*, the ablest of his generals, he commissioned to go with a fleet to *Greece*, in order to bring over to his party the people of that country, either by persuasion or force; and dispatched *Metrophanes*, another of his generals, into *Eubœa*, and to the sea-coast of *Thessaly*.

Posidon.
ap. Athen.
v. 13.

The *Athenians* (we are not told for what cause) had been condemned to a fine by the *Romans*, and their magistrates forbidden to exercise their functions: and *Aristion*, an Epicurean philosopher, whom they had sent on an embassy to *Mithridates*, being gained by that monarch, had exhorted them to side with the King; assuring them, that the popular government should be restored, and that not only the public would be benefited, but private persons would reap great advantages from the alliance of so powerful, and so generous a prince. The people, dazzled with these prospects, gave a favourable answer, and the chief men of the city, finding themselves unable to restrain the madness of the multitude, passed into *Italy*, and took refuge in *Rome*.

Cic. in
Brut. c.
89.

App. Mi-
thrid. p.
188.
Id. p. 189.

Archelaus subdued the island *Delos*, which had revolted from the *Athenians*, slew there 20,000 men, most of them *Italians*, and plundered the temple of *Apollo* ⁹. The island he restored to the *Athenians*, and deposited in their city the booty he had taken. But, under pretence of guarding it, he sent along with it 2000 soldiers, by whose

⁹ *Pausanias* (in *Lacon*. c. 23.) ascribes these actions to another of *Mithridates*'s generals, named *Menothanes*.

assistance

assistance *Aristion* assumed to himself the chief power in *Athens*, and put to death, or delivered up to *Mithridates*, all the citizens that adhered to the *Romans*. *Archelaus* likewise brought over to his master's interest, the *Achæans*, the *Lacedæmonians*, and the *Bæotians*, and reduced the *Cyclades*, and all the other islands, as far as the promontory of *Malæa*. At the same time *Metrophanes* landed in *Eubæa*, and, soon after, pillaged the territories of *Demetrius* and *Magnesia*. Some say, that *Bruttius Sura*, the lieutenant of *Sentius*, Prætor of *Macedon*, not only attacked *Metrophanes*, and drove him out of the country, but gained three victories over *Archelaus* (or, according to some, fought with him three days successively with equal advantage) and forced him to confine himself to his fleet.

Y. R. 667.
Bef. Chr.
85.
366 Conf.

Plut. in
Sylla.

Sylla [in the year of *Rome* 666] arrived in *Greece* with five legions and some *Italian* cohorts. Having received supplies of men and money from *Ætolia* and *Thessaly*, he marched into *Attica* against *Archelaus*. In his way, almost all the *Bæotians* submitted to him, with the same readiness they had declared for *Mithridates*. Soon after, the other towns of *Greece*, except *Athens*, dispatched deputies to him, offering to put themselves under his protection. *Lucullus*, whom he had sent before him, obliged *Sentius* to retire into *Macedon*; and the general, on his arrival, left part of his forces to besiege *Athens*; while he himself went to attack the *Piræus* (the port of that city) where *Archelaus* had shut himself up.

App. p.
190.

Plut. in
Sylla.

Athens

Y. R. 667.

Plin. l. vii.

c. 56.

* *Abm.*

Cor. Nep.
in Them.
App. Mi-
thrid. p.
190.

Athens was divided into two parts; the one called *Cecropia*, from its founder *Cecrops*; the other *Athens*, from the Greek * name of *Minerva*, its protectress. They were separated only by a wall, and one common rampart enclosed them. On the west side of the city ran the *Cephisus*; on the east the *Ilissus*. *Phalerum* had been anciently the port of *Athens*, till the time of *Themistocles*, who, finding a bay near the *Cephisus*, more large and commodious, built there the port *Piræus*. *Pericles* raised walls about it forty cubits high, and of a very extraordinary thickness; and on each side the road, five miles in length, between it and the city, he built a strong wall. *Athens* had also another port, called *Munychia*, less than the *Piræus*: it was nearer the town, encompassed with the sea, and well fortified.

Sylla, at first, thought to carry the *Piræus* by assault: but being repulsed by *Archelaus*, he retired to *Eleusis* and *Megara*, between *Athens* and *Corinth*, in order to build towers and engines for carrying on the siege in form. For this work, he cut down the sacred woods about *Athens*, and the trees of the fine walks belonging to the academy †, and the *Lyceum*. He demolished the long walls that joined the *Piræus* to the city, and turned them into ramparts, upon which

† The academy was a part of the *Ceramicus* without the city, from which it was distant about six furlongs. It was the place where *Plato* and his followers held their lectures. *Hipparchus*, the son of *Pisistratus*, surrounded it with a wall. The *Lyceum* was situate on the banks of the *Ilissus*, and sacred to *Apollo Λύκιος*, from whence it had its name. There *Aristotle* and the *Peripateticks* taught.

he erected his engines. So great were his preparations, that, for the service of the engines alone, he kept 20,000 mules constantly employed. And, as he wanted large sums of money for carrying on the war, he sent to the council of the *Amphictyons*, or deputies, from the states of *Greece*, then assembled at *Delphi*, and desired they would send him the riches of *Apollo's* temple in that place; adding, that the treasure would be safer with him, or, if he should be obliged to make use of it, he would take care to return the value. To receive this treasure by weight, he sent one of his friends, named *Caphis*, who, being unwilling to violate the holy place, wrote to *Sylla*, that, on his arrival at *Delphi*, the sound of *Apollo's* lyre had been heard from the sanctuary: thinking to terrify the general with an apprehension of the anger of the God. The Proconsul returned answer, that he much wondered *Caphis* had not made the just reflection on what had happened: that music was a sign of joy, and not of anger: that therefore he might boldly take away the treasure, and be well assured that the God was kind, and offered it. It was accordingly delivered up to *Caphis*, nor did the inhabitants of *Olympia* and *Epidaurus* dare to refuse him the consecrated treasures in the temples of *Jupiter* and *Æsculapius*.

Sylla, having finished his works, renewed the siege of the *Piræus*. *Archelaus* neglected nothing that could conduce to the defence of the place, or to the annoyance of the besiegers. Upon the walls he erected moveable towers, equal

Y. R. 667;
Bef. Chr.
85.
366 Conf.

Plut. in
Sylla.

App. p.
191.

Y. R. 667.
Bef. Chr.
85.
366 Conf.

Frontin.
Stratag. 1.
iv. c. 1. §
27.

App. p.
192.

Plut. in
Sylla.

equal in height to those used by *Sylla*; sent for a reinforcement of troops from *Chalcis*, and the *Greek* islands; armed the mariners of his fleet; and, in a general sally by night, repulsed the *Romans*, and burnt one of their *galleries* (they had but two) with all its appurtenances. *Sylla* punished some of the cohorts, which had given ground, by obliging them, in the next engagement, to fight in the van, without shoes, and with their clothes ungirt; and, as for the damage done to the engines, it was repaired in ten days time. *Archelaus* therefore made a second eruption upon the works. The attack was brisk, but, by the obstinate resistance of those cohorts, which had recoiled in the last action, and, by the singular bravery of *Muræna*, a Legionary Tribune, the *Asiatics* were at length forced to retire, after a loss of near 2000 men. Their general staid so long without the gates, endeavouring to stop the run-aways, that he was shut out, and had been taken prisoner, if the besieged had not expeditiously drawn him up by a cord to the top of the wall.

Winter now came on, which obliged *Sylla* to abate somewhat of his ardour, and retire to *Eleusis*. The siege, however, was continued, and frequent skirmishes happened between the *Romans* and the *Asiatics*.

All this while, *Athens* was so closely shut up, that it could receive no supplies of provisions, and there was a great scarcity in the town. *Aristion*, nevertheless, spent his time in debauchery and feasting with his companions, and is said to have railed from the walls at the Proconsul and his

his beloved wife *Metella*. *Archelaus* had plenty of every thing in the *Piræus*, because he commanded the harbour; and *Mithridates's* fleet commanding the seas frequently cut off *Sylla's* provisions. To remedy this evil, the *Roman* sent his Quæstor *Lucullus* with five ships, in the middle of winter, to *Rhodes*, and the east, to get together a fleet. The *Rhodians* durst not put to sea, for fear of meeting with the ships of *Mithridates*: the Quæstor therefore failed to *Egypt*, to ask assistance of *Ptolemy*; but the King would enter into no alliance with *Sylla*, lest he should thereby draw the war into his own country. *Lucullus*, however, was furnished with a considerable number of ships from the maritime towns of *Syria*.

It has been already mentioned, that *Mithridates* sent his youngest son with an army through *Thrace* into *Macedon*. The young prince, joined by a multitude of *Thracians*, drove out of the last mentioned country, the few *Romans* he found there, subdued it totally, and then marched to oppose *Sylla*; but died, on the way, at *Tidæum*. The approach of this army made the Proconsul redouble his efforts to reduce *Athens* and the *Piræus*. *Archelaus* made repeated attempts to supply the city with provisions; but the *Romans* never failed to disappoint him: for they had always timely notice of his designs. Two slaves in the *Piræus*, either out of inclination for the *Romans*, or from a view to their own safety, wrote the resolutions of the besieged on balls of lead, which they threw by slings into the enemies camp.

Y. R. 667.
Bef. Chr.
85.
366 Conf.

Plut. in
Lucull.
App. loc.
cit.

App. Mi-
thrid. p.
193.
Liv. Epit.
l. lxxxii.
App. loc.
cit.

Y. R. 667.
Bef. Chr.

85-
366 Conf.

App. P.
194.

camp. The *Asiatic* general, finding the *Romans* always ready, concluded he was betrayed. To draw the best advantage, therefore, from the treachery, he caused a fally to be made upon the besiegers, at the same time that he sent out a convoy of provisions for *Athens*. The success answered his expectation: *Sylla* became master of the convoy; but the garrison burnt several of the *Roman* engines. The rest of the *Roman* works *Archelaus* endeavoured to destroy by sap, but his purpose being discovered by the tottering of one of the engines, the *Romans* immediately withdrew it, and filled up the hollow. After this example, they fell to sapping in their turn, and the pioneers of the two parties frequently met, and fought under ground. At length the besiegers found means to undermine the wall in several places; but supported it with timbers, from which timbers, to the entrance of the mine, they laid a train of sulphur, pitch, and other combustible matter. After this, when they had made a breach above with their battering rams, *Sylla* led his men to the assault, ordering fire to be put to the combustible matter in the mine. Very soon the wall came tumbling down in several places; and, during the consternation of the besieged, the *Romans* lodged themselves in the breaches, and burnt one of *Archelaus's* towers. But he, encouraging his soldiers, and bringing fresh men to succeed those who had given way, made so obstinate a defence, that all the bravery and skill of *Sylla* proved ineffectual to get possession

of

of the place. The *Roman*, after a long attack, founded a retreat, in order to give his weary troops some repose. The garrison, in the night, built up another wall, not exactly on the foundations of the old one, but in the form of several crescents; the horns projecting towards the enemy. Next day *Sylla* attempted, with all his forces, to destroy this work; imagining it might easily be done, while new and unsettled. However, he met with so warm a reception from the garrison, especially that part of it which defended the horns of the crescents, and galled his flank, that he was forced to give over his enterprize. And being, doubtless, convinced, that it was impracticable to take the *Piræus* with the troops he then had before it, he contented himself with keeping it blocked up on the land side, and turned his chief efforts against *Athens*; purposing, when he should be master of the city, to bring more forces to the attack of the port.

The city was already in the utmost distress for want of provisions. *Aristion* alone, and the companions of his tyranny, enjoyed plenty, while the citizens were reduced to feed upon horses, dogs, boiled leather, and the herbs that grew on old walls. The tyrant had even the inhumanity to insult the people in this extremity, to which he himself had brought them. He refused to give a little oil, to supply the sacred lamp which fed the perpetual fire in *Minerva's* temple; and when the high priestess desired of him, in her great indigence, half a bushel of barley, he sent her, in derision, that quantity of pepper. The

Y.R. 667.

App. p.

195.

Plut. in
Sylla.Dio Cass.
ap. Valef.Plut. in
Sylla.

Y.R. 667.
Bef. Chr.
85.
366 Conf.

excessive misery of the *Athenians* constrained them to petition their tyrant, that he would come to an accommodation with the *Romans*. Their Priests and Senators, in a body, went to him with this request, but he insolently caused them to be driven from his presence with blows. However, when at length *Sylla* appeared before the town, *Aristion*, seeing no way to escape, was prevailed upon to send a deputation to him. The men he chose for that commission, were two or three of the companions of his debauchery. These, when admitted by the Proconsul to an audience, instead of making any proposal tending to the preservation of the city, began a pompous harangue in praise of *Theseus* and *Eumolpus*, and the exploits of the *Athenians* against the *Persians*. *Sylla*, tired with their impertinence, bad them be gone with their rhetoric; adding, the *Roman* People have not sent me hither to school, but to punish Rebels.

During this conference, some old men of the *Athenians* were overheard, in the *Ceramicus* without the city, blaming the tyrant for neglecting to guard a weak part of the wall, opposite to a place, called the *Heptachalchos*. The *Roman* general, being informed of this, went to view the wall; and finding the place accessible in that part, made an assault in the night of the first of *March*, and succeeded.

App. Mil.
thrid. p.
195.
Plut. in
Sylla.

No sooner was he master of the town, than, by his order, the soldiers put to the sword all the inhabitants that fell in their way; without distinction of sex or age. Such a quantity of blood was spilt

spilt in the streets, that it flowed out of the gates. Many of the *Athenians*, believing their native city was going to be destroyed, killed themselves, that they might not survive its ruin. *Aristion*, with some of his adherents, retired into the citadel; but it was not long before want of water constrained him to surrender at discretion. The first fury against the *Athenians* being now abated, *Sylla*, at the request of *Midias* and *Calpion*, two *Athenian* exiles, and of all the *Roman* Senators in his camp, spared the rest of the citizens, saying, that *he pardoned the living for the sake of the dead*; meaning the great men which *Athens* had produced. Nevertheless, he deprived the *Athenians* of the privileges of choosing their own magistrates, and making laws. He also condemned to death *Aristion*, together with his counsellors, his generals, and all the ministers of his tyranny; but the execution of the tyrant was deferred till another time.

The *Piræus* still remained to be reduced. *Sylla* led all his forces against it, and *Archelaus* defended it, with his wonted courage and ability. According to *Florus*, *Sylla* beat down the wall six times, and *Archelaus* as often restored it. Necessity, however, at length compelled the brave *Asiatic* to abandon the place: and he then retired to the port of *Munychia*. The *Romans* demolished the fortifications of the *Piræus*, and burnt the store-houses, together with the magnificent arsenal built by *Philo*.

Archelaus soon quitted *Munychia*, and went into *Bæotia*, and from thence into *Thessaly*. There he assembled

Y. R. 667.
Bef. Chr.
85.
366 Conf.

App.
Mithr. p.
196.
Florus, l.
iii. c. 5.

App. loc.
cit.

V.R. 667.
Bef. Chr.
85.
366 Coni.

Plut. in
Sylla.

App. p.
197.
Plut. in
Sylla.

assembled all the *Asiatic* troops that were in *Greece*, and sent for the army of *Archathius*, now under *Taxiles*, to come and join him. *Taxiles* obeyed, and *Archelaus* took upon him the chief command of all the forces, which consisted of 100000 foot, 10000 horse, and 90 chariots of war. *Sylla*, from *Attica*, marched into *Bæotia*, to meet the enemy. This he was blamed for, because the vast plains of *Bæotia* were much more convenient for the cavalry and chariots of the barbarians, in which their chief strength consisted, than the rough and rocky country about *Athens*. But *Sylla* wanted provisions; and *Attica*, naturally barren, and now ruined by war, could not subsist his army. Besides, he was in anxiety for a body of troops, which, by his order, *Hortensius* was bringing to him from *Thessaly*. *Hortensius*, under the guidance of *Caphis*, escaped the enemy, who endeavoured to intercept him; and, passing over mount *Parnassus*, joined *Sylla* at the foot of it. *Plutarch* says, the proconsular army consisted of no more than 15000 foot, and 1500 horse. According to *Appian*, it did not amount (auxiliaries included) to a third part of the *Asiatics*. *Sylla* posted himself on an eminence in the middle of the plains of *Elatea*, and in sight of the enemy. *Archelaus*, notwithstanding his superiority of numbers, did not think it prudent to hazard a general action; nevertheless, being prevailed upon by the pressing instances of his officers, he drew out his forces, and offered battle. The *Roman* general would have accepted the challenge; but could neither by remonstrances, nor intreaties,

intreaties, spirit up his men to fight; they were so terrified at the sight of the enormous multitude of the barbarians *. These, on the other hand, despising their enemies, quitted their camp in large companies, without leave of their commander, and went roaming about the country to pillage. *Sylla*, in the mean time, employed his soldiers in the most laborious and difficult works; that he might bring them to demand the fight, rather than submit to such drudgery. After three days, they called out to be led to battle. *Sylla* answered, *You are only weary of labour. If you really desire to fight, arm yourselves immediately, and seize that post*; pointing to a steep rock at the confluence of the *Cephisus* and *Assus*. *Archelaus* had already detached a body of his troops to take possession of that rock. The *Romans* obeyed their general, and, by their diligence, prevented the enemy. On this disappointment the *Asiatics* decamped, and marched to *Chæronea*, thinking to surprize it: But *Sylla* again prevented them, and threw into the town a *Roman* Legion, under the command of *Gabinus*. *Archelaus* encamped in the neighbourhood of *Chæronea*, in a place difficult of access, and overlooked by a steep hill; called *Thurium*; where he posted a large detachment. The *Roman* general followed him, and soon after sent off a party of soldiers under the guidance of some *Chæroneans*, to dislodge the enemy from *Thurium*.

* According to *Appian*, *Archelaus*, so soon as the two armies came near enough to each other, offered battle, and *Sylla* declined it.

Y. R. 667.
Bef. Chr.
85.
366 Conf.

Y. R. 667.
Bef. Chr.
85.
366 Conf.

Plut. App.
Liv. Epit.
Eutrop.

In the mean time, he drew up his forces in order of battle, and *Archelaus* did the like. While the two armies stood fronting each other, the *Roman* detachment, which, by a private road, had mounted unseen to the top of the hill, drove from it the *Asiatics*, who, in their flight, falling in among their own men, put them into disorder. Instantly *Sylla* advanced, and with so much diligence, that he allowed no opportunity, no space, for their chariots to act. Their efforts were so weak, that, according to *Plutarch*, the *Romans*, who had easily repelled them, called out for more, as they used to do at the chariot races in the *Circus*. The historians have left us a very confused description of this battle: the victory they unanimously ascribe to *Sylla*. Of the numerous forces of *Archelaus*, we are told, that only about 10000 escaped with their general to *Chalcis*; but what is yet more incredible, *Plutarch*, *Appian*, and *Eutropius*, make the loss on the side of the *Romans* to amount, the first to twelve, the second to thirteen, and the last to fourteen men. It would seem, that *Sylla* invented this fable himself: for in some Memoirs of his, quoted by *Plutarch*, he wrote, that, after the battle, he missed only fourteen of his men, two of whom returned to the camp before night.

Plut. in
Sylla.

In honour of this victory, he celebrated musical games at *Thebes*, and sent to the neighbouring towns for judges, to determine to whom the prizes should be given: for such was his hatred to the *Thebans*, that he would admit none of them

them to be judges; and what doubtless they felt more severely, he took from them half their lands, and allotted the produce to the payment of the money, of which he had robbed the temples of *Jupiter* and *Apollo*.

Scarce were the games over, when he received intelligence, that the Consul *Valerius Flaccus* was crossing the *Ionian* sea with an army, in order to divest him of his authority, and assume the conduct of the war against *Mithridates*. The Proconsul marched directly to oppose him, and in *Thessaly* was joined by some troops, which *Valerius* had sent before him to take possession of that country. Hearing of this defection, the Consul sailed to the *Hellepont*, with a view to pass that way into *Asia*. At the same time *Sylla* turned his arms against *Dorylaeus*, one of *Mithridates's* generals, who had just entered *Greece* at the head of 80000 men, and was ravaging *Bæotia* in conjunction with *Archelaus*. The latter endeavoured to dissuade *Dorylaeus* from hazarding a pitched battle with the *Romans*, but with little effect, till some unsuccessful skirmishes convinced him, that his colleague judged rightly. They then retired before the enemy, and encamped near *Orchomenos*, in a vast plain watered by the river *Melas*, which, at a little distance, spreads itself in several muddy marshes covered with reeds. So advantageous a situation induced the *Asiatics* to venture a battle. *Sylla* took measures to render this advantage useless to them. That he might not be surrounded, and that he might secure his wings, he caused several broad

T 4

trenches

Y. R. 667.
Bef. Chr.
85.
366 Conf.

App.
Mithrid.
p. 204.

Plut. in
Sylla.

Frontin.
Stratag. l.
ii. c. 3. §
17.
App. Mi-
thrid. p.
302.

Y. R. 667.

Bef. Chr.

85.

366 Conf.

trenches * to be dug in the plain, and at the extremities of these trenches raised little forts to defend the approaches.

On the day of battle, the *Asiatics* ranged their chariots in the front; their phalanxes in the second line; the auxiliaries and *Italian* deserters (all armed after the *Roman* manner) in the third line; and their light troops in the rear: their numerous cavalry were placed on the wings.

Sylla drew up his infantry in three lines, leaving spaces between the battalions, that the cavalry, which he posted in the rear, might have room to advance to the charge. Before the second line, he caused a great number of stakes to be fixed in the ground, to stop the progress of the chariots; and gave orders to the soldiers of the first line to retire behind those stakes, when the chariots approached. Victory declared for *Sylla*. Having killed 15000 of the enemy, he pursued the rest to their camp, and forced it. We hear no more of *Dorylaeus*. As for *Archelaus*, we are told, that he hid himself, two days, in the marshes, and then found a bark which carried him to *Eubœa*, where he assembled all the *Asiatic* troops, that remained in *Greece*.

App. p.
203.

Id. p. 201.

Mithridates, in the mean time, by his cruelties in *Asia*, had occasioned *Ephesus*, *Tralles*, and several other cities, to revolt from him. Those

* According to *Plutarch*, *Sylla* drew those trenches to enclose the enemy between him and the marshes, so that they might not have room to employ their numerous cavalry; and their endeavour to hinder the works brought on the battle.

which

which he reduced by force, he punished with great severity; but fearing a general defection, he proclaimed liberty to the *Greek* cities, remitted to the debtors the payment of what they owed to their creditors, and gave to all slaves and strangers the freedom of the cities, in which they lived. Hearing of the defeat of his army at *Orchomenos*, he sent orders to *Archelaus* to make peace with *Sylla*, on the best conditions he could obtain. *Archelaus* immediately dispatched a messenger to propose a treaty. *Sylla* very willingly consented; for he had neither ships, nor money to carry on the war; and longed impatiently to be in *Italy*, that he might revenge himself upon his enemies, who tyrannized in that country.

Y.R. 667.

Id. p. 202.

Id. p. 206.

Cinna, without the formality of holding the *Comitia*, had declared himself Consul for the third time, and appointed *Cn. Papirius Carbo* to be his colleague in that office.

Y.R. 668.

Bef. Chr.

84.

367 Conf.

Liv. Epit.

l. lxxxiii.

Plut. in

Sylla.

The *Asiatic* general, knowing these things, proposed, in a conference which ensued, that *Sylla* should leave *Mithridates* in possession of *Asia* and *Pontus*, and return to *Italy*, there to put an end to the civil war: to which end, the king, he said, would supply him with men, money, and ships. On the other hand, *Sylla* advised *Archelaus* to desert *Mithridates*, deliver up his fleet to the *Romans*, and declare himself king in his stead: On which condition he offered him the title of Friend and Ally of the Senate and People of *Rome*. *Archelaus* expressing his detestation of such treachery, *Sylla* replied, *If you, a Cap-*
padocian,

Y. R. 668.
 Bef. Chr.
 84.
 567 Conf.

padocian, and the slave, or, if you will, the friend of a barbarian king, refuse, for so great a reward, to commit a base action, how dare you make treasonable proposals to a Roman general—to Sylla? Have you forgot, that you are the same Archelaus who fled from Chæronea with a handful of men, the remains of 120000 soldiers? That you afterwards hid yourself two days in the marshes of Orchomenos, and that Bœotia is now rendered inaccessible by the heaps of your slaughtered troops, with which its plains are covered?"

"Appian gives a different account of this conference. According to him, Archelaus thus addressed Sylla. "King Mithridates, who inherits his father's friendship for Rome, was compelled to make war against her by the covetousness of other generals, whom she employed; but now having had experience of your virtue, he sues to you for peace, provided you require nothing but what is equitable."

Sylla answered,

"Mithridates ought first to have sent ambassadors to complain of injuries; but, instead of that, he injuriously invaded the territories of other powers, slaughtered multitudes of people, plundered the public treasuries, and the temples, and seized the possessions of the slain. Nor has he acted with more fidelity or moderation, with regard to his own friends, than to us. Many of those he has put to death, without cause. And he discovered an inveterate hatred to us, not any necessity of making war, when he exercised all manner of cruelties upon the *Italians* of *Asia*, without distinction of sex or age. Such was the hatred of this hereditary friend of Rome to the Roman name; nor did he think of that friendship, till I had destroyed 160,000 of his men. Equity, therefore, does not demand, that we should receive him into an alliance; yet, for your sake, I promise that the Romans shall forgive him, if he sincerely repents. But, if he still dissembles, I advise you, Archelaus, to reflect upon the pre-

Archelaus,

Archelaus, then changing tone, begged of the *Roman* to grant peace to *Mithridates*. *Sylla* consenting, these terms were agreed upon.

Y. R. 668.
Bef. Chr.
84.
367 Conf.

The King was to relinquish *Asia* and *Paphlagonia*; give up *Bithynia* to *Nicomedes*, and *Capadocia* to *Ariobarzanes*; pay the *Romans* 2000 talents for the expences of the war, and deliver to them 70 gallies with all their rigging.

On the other hand, *Sylla* was to confirm *Mithridates* in the possession of his other dominions, and procure him the title of *Friend and Ally of Rome*.

These articles were sent without delay to the King of *Pontus*, to be by him ratified. Then *Sylla* set out for *Macedon*, in his way to the *Hellepont*, and took with him *Archelaus*, who falling sick at *Larissa*, he stopped the march of the army to wait his recovery, expressing the same tender regard for him, as if he had been his colleague, or his intimate friend. He also gave him 10,000 acres of land in *Eubæa*, and honoured him with the title of the *Friend and Ally of Rome*; and though the Proconsul set at liberty all the other prisoners that were friends of *Mithridates*, yet he put to death *Aristion*, because he was at enmity with *Archelaus*. Such extraordinary kindness to this general raised a

"sent situation of his affairs, and of your own; and to consider, how *he* uses to treat his friends, and how *we* acted towards *Eumenes* and *Masinissa*."

Archelaus, offended at this intimation, replied with heat, "Peace may be concluded upon reasonable terms; I will never betray the forces intrusted to me."

suspicion,

Y.R. 668.

Frag. Sal-
lust. l. iv.

suspicion, that he had betrayed the *Asiatics* at the battle of *Chæronea*. *Mithridates* himself, in a letter to *Arsaces*, king of the *Parthians*, speaking of these times, says expressly, that *Archelaus*, the most unworthy of his servants, had ruined his affairs, by betraying his army. The easy victory which the *Romans* obtained, at *Chæronea*, over the numerous forces of *Archelaus*, who had fought so bravely in *Asia*, and so stoutly defended the *Piræus*; his giving battle in a place where his troops had not room to act; and *Sylla's* dexterity in corrupting his adversaries with money (an art to which his success in war seems to have been chiefly owing), make the story of *Archelaus's* treachery not improbable *.

Plut. in
Sylla.

Whilst the Proconsul stayed at *Larissa*, ambassadors from *Mithridates* arrived there, and informed him, that their master approved of all the other articles of the treaty, but would by no means part with *Paphlagonia*, or the seventy galleys demanded. To this *Sylla*, in great anger, *What! Mithridates refuses to give up Paphlagonia and the ships! He, who I thought would have fallen at my feet, and thanked me for leaving him that right hand, with which he has*

* According to *Appian* (*Mithrid.* p. 214.) the King growing jealous of *Archelaus*, as if, in the treaty of peace, he had yielded too much to *Sylla*, the *Cappadocian*, thereupon, deserted to *Murena* (whom *Sylla* had left at the head of the *Roman* forces in *Asia*), and persuaded him to renew the war against the King of *Pontus*.

Plutarch likewise (in *Lucull.*) says, that *Archelaus* deserted to the *Romans*.

massacred

massacred so many Roman citizens! He'll speak in another tone, when I am in Asia. At present let him sit at Pergamus, and form projects for a war which he has not seen.

Y. R. 363.
Bef. Chr.
34.
367 Conf.

The ambassadors, confounded, did not answer a word; but *Archelaus*, taking *Sylla* by the hand, begged of him to moderate his anger. At length he obtained leave to go to the King, promising to return with the ratification of the treaty, or to kill himself in his master's presence.

In the mean time, *Sylla*, to keep his troops in exercise, and enrich them with spoil, turned his arms against the *Medi* and *Dardani*, nations bordering upon *Macedon*; and pillaged their country.

App. Mi-
thrid. p.
207.
Plut. in
Sylla.

Archelaus, at his return, acquainted the Proconsul, that the peace would be concluded on the terms he had proposed, but that *Mithridates* earnestly desired a conference with him. The reason why the King desired this conference, was to procure the assistance of *Sylla* against *Fimbria*, who made war upon him with great vigour.

Fimbria, a good soldier, but an execrable villain, had (as was before mentioned) been, by

App. loc.
cit.
Liv. Epit.
l. lxxxiii.
Dio. Cass.
ap. Val.

The report of the ambassadors, according to *Appian*, was, that *Mithridates* consented to every thing but the cession of *Paphlagonia*; and they added, "That the King could have obtained better terms from *Fimbria*" [then at the head of the forces, which the *Marian* faction had sent into *Asia* under *Valerius Flaccus*.] *Sylla*, angry at the comparison, answered, "*Fimbria* shall be punished; and when I come into *Asia*, I shall see whether *Mithridates* chuses peace or war." App. Mithrid. p. 207.

Cinna,

Y. R. 668.
Bef. Chr.
84.
367 Conf.

App. Mi-
thrid. p.
205.
Plut. in
Lucull.

Dio Cass.
ap. Valsf.
App. loc.
cit.
Liv. Epit.
l. lxxxiii.

Cinna, appointed lieutenant to *Valerius Flaccus*, a man extremely covetous, and disagreeable to the soldiers. The last year, when the army arrived in *Asia*, *Fimbria*, on occasion of a quarrel between him and the Quæstor, was displaced by *Valerius*, and his office given to the Quæstor. *Fimbria* resenting this, stirred up the soldiers to sedition, murdered the general, and put himself at the head of the forces. He afterwards defeated in battle one of *Mithridates's* sons, forced the King himself to quit *Pergamus*, and then besieged him in *Pitanes*, a maritime town, whither he had fled. At this time, *Lucullus*, *Sylla's* Quæstor, returning from *Syria* with a fleet, *Fimbria* sent to him, desiring he would block up *Pitanes* by sea, and share the glory of finishing the war, by taking the King of *Pontus* prisoner; a glory which, he said, would far outshine the boasted victories of *Sylla* at *Charonea* and *Orchomenos*. It is said, that *Lucullus*, either unwilling to act without authority from his general, or to enter into a confederacy with so infamous a man as *Fimbria*, refused to join in the enterprize, and gave the King time to make his escape. Be that as it will, *Mithridates* got safe to *Mitylene* in *Lesbos*.

After the King's flight, *Fimbria* ravaged the country at pleasure, committing every where excessive cruelties². The inhabitants of *Ilium*,

² *Dio Cass.* (ap. *Valsf.* 653.) reports, that *Fimbria* having ordered some wretches to be whipped to death, and having observed, on the day of execution, that there were more posts fixed in the ground, than persons condemned, caused fearing

fearing the same treatment with their neighbours, surrendered themselves to *Sylla*, by deputies whom they sent to him: whereupon he sent to *Fimbria* not to attempt any thing against that town. *Fimbria*, nevertheless, having, by force or fraud, got admission into the place, put all the inhabitants he met with to the sword, demolished the walls, and burnt the houses. Next day he went round it, to see that nothing was left standing^a. It is also said that he put to death, by torture, the messengers whom *Sylla* had sent to him.

To reduce this violent outrageous enemy, and to plunder *Asia*, *Sylla* hastened into that country, having first ordered *Lucullus* to sail to the *Hellespont*, thereby to secure the passage of the army. When he had reached *Dardanus*, *Mithridates* arrived there with 200 gallies, and an army of 26,000 men. At the conference which ensued, the King, approaching the *Roman* Proconsul, held out his hand to him, as a token of friendship. *Sylla*, before he made any return to that civility, asked him, whether he accepted of the peace, on the conditions to which *Archelaus* had agreed. The King making no answer, *Sylla* continued: *It belongs to suppliants to speak; con-*

some of the spectators to be seized, and whipt at those super-numerary posts, that they might not seem to have been set up to no purpose.

^a The *Palladium* (says *Appian*) it is thought was found entire among the rubbish. Some chuse rather to believe, that *Diomedes* and *Ulysses* took it away in the time of the *Trojan* war. The historian calls the *Palladium*, the *strine* of *Minerva*.

querors

Y. R. 668.
Bef. Chr.
84.
367 Conf.

Plut. in
Sylla: 202

Y.R. 668. *querors may be silent, if they please.* Then the King began to justify his own conduct, laying the blame of the war upon the avarice of the Roman generals, who had deprived him of *Phrygia*, and stirred up *Nicomedes* against him. *Sylla*, at length, interrupting him, said; *I have often heard, Mithridates, that you are very eloquent, but now I am convinced of it by my own experience, since you can give such plausible colours to the most unjust and enormous actions.* And when he had put the King in mind, that the Roman Senate had annulled the bargain made between his father and *Aquilius* about *Phrygia*; that *Nicomedes* complained of his having assisted *Socrates* to invade *Bithynia*, and therefore had a right to make reprisals; and that *Mithridates* should have carried his complaints to the Senate, and waited for their answer before he began hostilities: he added, “but, granting you had a right to defend yourself against *Nicomedes*, what injury had *Ariobarzanes* done you, that you should divest him of his kingdom? your opposing his restoration, brought upon you this war; a war which you had long before meditated; for you hoped, that, when you had conquered the *Romans*, you should make yourself master of the whole world, and therefore sought an occasion of quarrel with them. This is undeniably clear from hence, that, before the war began, you made alliances with the *Thracians*, *Scythians*, and *Sarmatians*, solicited the neighbouring Kings, built a fleet, and provided yourself with pilots and masters of ships; but your designs are

App. Mithrid. p. 208.

Plut. in Sylla.

App. in loc. cit.

App. p. 209.

" are discovered, chiefly by the time in which
 " they broke out; for when you found that
 " our allies in *Italy* had revolted from us, you
 " laid hold of that opportunity, attacked *Ario-*
 " *barzanes* and *Nicomedes*, the *Gallo-greeks*, and
 " *Paphlagonia*, and even our province of *Asia*.
 " Not content with this, you carried your arms
 " into *Europe*, though, by the decrees of the Se-
 " nate, the *Asiatic* Kings were forbid to hold any
 " thing there. You over-ran *Macedon*, and de-
 " prived the *Greeks* of their liberty: nor did
 " you repent of these actions, till I had delivered
 " *Greece* and *Macedon* from your violences, and
 " cut off many thousands of your men. I won-
 " der you now attempt to excuse, what you be-
 " fore asked pardon for, by *Archelaus*. Perhaps,
 " you were afraid of me when at a distance, but
 " now, when I am present, imagine I am come
 " to hear a trial, a cause pleaded. The time for
 " trials and pleadings is over: the affair is sub-
 " jected to the determination of war: a war, in
 " which you are the aggressor, and we upon the
 " defensive; and, as we have strenuously defend-
 " ed ourselves hitherto, we shall continue to do
 " so to the end." The King, terrified at this
 angry speech, declared, that he ratified the PEACE
^b on the conditions settled by *Archelaus*. Hereupon

Y. R. 668.
 Bef. Chr.
 84.
 367 Conf.

App. P.
 210.

^b Concerning *Mithridates*, the ingenious and judicious M.
Montesquieu writes thus:
 " Of the many Kings whom the *Romans* attacked, *Mithri-*
 " *dates* was the only one who made a courageous defence,
 " and brought them into danger.
 " His dominions were situated most advantageously for a
 " war with *Rome*: They reached to the inaccessible country

Confid. sur
 les Causes
 &c. ch. 7.

Y. R. 668. *Sylla* embraced him, and made a reconciliation between him and the two kings, *Ariobarzanes* and *Nicomedes*.

Plut. in
Syl.

How advantageous soever this treaty was to the *Roman* general, his soldiers complained, that

“ of Mount *Caucasus*, inhabited by a fierce and savage people,
“ whom that prince could call to his assistance : from thence
“ they extended along the sea of *Pontus*, which was covered
“ with his ships, and he was incessantly purchasing new
“ armies of *Scythians* ; *Asia* lay open to his invasions, and
“ he was rich, because the inhabitants of his maritime cities
“ carried on an advantageous traffic with nations less industri-
“ ous than they.

“ Proscriptions, the custom of which began at this time,
“ had forced several *Romans* to leave their country. These
“ were received by *Mithridates* with open arms, and he
“ formed Legions, into which he incorporated those exiles,
“ who proved the best soldiers in his army.

[“ The cities of *Greece* and *Asia*, finding the *Roman* yoke
“ grow more intolerable every day, reposed their whole
“ confidence in this barbarian king, who invited them to
“ liberty.]

“ On the other side, the *Romans*, distressed by intestine divi-
“ sions, and threatened with more imminent dangers, ne-
“ glected the affairs of *Asia*, and suffered *Mithridates* to pur-
“ sue his victories, or take breath after his defeats.

“ Nothing had contributed more to the ruin of most kings,
“ than the manifest desire they shewed for PEACE : by this,
“ they had prevented all other nations from sharing with
“ them in a danger, from which they were so anxious to
“ extricate themselves. But *Mithridates* immediately made the
“ whole world sensible, that he was an enemy to the *Romans*,
“ and would be so eternally.” The author, when he penned
these last words, had probably in his mind the massacre of the
Italians in *Asia*.

Dr. Middleton speaks to the same effect in his *Life of Cicero*.

“ The *Italic* war was no sooner ended, than another broke
“ out, which, though at a great distance from *Rome*, was one
he

Chap. xi. *The Roman History.*

291

he had suffered the greatest enemy of the *Roman* name to depart in peace, loaded with the spoils of *Asia*. *Sylla*, to justify his conduct, represented to them, that he should not have been strong enough to resist *Mithridates* and *Fimbria*, had they joined against him. Some days after, he marched towards *Fimbria*, who lay encamped under the walls of *Thyatira* in *Lydia*; and on his arrival in the neighbourhood, sent him a summons to deliver up the command of an army which he held contrary to Law. *Fimbria* answered him sharply, that *his own authority was not very legal*; but his soldiers deserting in great numbers to *Sylla*, and those who remained with

Y.R. 668.

Bef. Chr.

84.

367 Conf.

App. Mithrid. p.

210.

"of the most difficult and desperate, in which it ever was engaged; against *Mithridates*, king of *Pontus*; a martial and powerful prince, of a restless spirit and ambition, with a capacity equal to the greatest designs; who disdaining to see all his hopes blasted by the overbearing power of *Rome*, and confined to the narrow boundary of his hereditary dominion, broke through his barrier at once, and over-ran the *Lesser Asia*, like a torrent, and, in one day, caused eight thousand Roman Citizens to be massacred in cold blood. His forces were answerable to the vastness of his attempt, and the *INEXPIABLE WAR*, that he had now declared against the Republic." Midd. Life of *Cicero*, vol. i. p. 21.

What is here said, by these two excellent writers, concerning the purpose of *Mithridates*, in massacring so many thousand *Italians* in cool blood, seems very well founded; that is to say, it was probably the king's intention at the time of his committing that massacre, that the neighbouring states, and all the world, should understand it as *his declaration of an INEXPIABLE WAR* against the *Romans*. However, from the ignominious terms of peace to which he submitted by his treaty with *Sylla*, he soon forfeited all the benefit he could possibly have promised himself from such a declaration.

Y. R. 668.
Bef. Chr.

84.
367 Conf.

App. Mi-
thrid. p.
211.

him refusing to take the military oath, he hired a slave to murder *Sylla*; and this attempt not succeeding, he at last desired an interview with him. The Proconsul sent to him one of his officers, named *Rutilius*. *Fimbria* resented it extremely, that *Sylla* should refuse him a conference, which it was not usual to refuse even to an enemy: however, he asked pardon for what he had done, and made his youth his excuse. *Rutilius* answered, that if he would quit *Asia*, *Sylla* would allow him a safe passage to the sea. To this *Fimbria* replied, that he knew a better way; and then, retiring into a temple in the town, ran himself through with his sword. The wound not proving mortal, he commanded one of his slaves to dispatch him. The slave immediately obeyed, and then killed himself upon his master's body. What soldiers had remained with him, now listed in *Sylla's* army.

Plut. in
Sylla.
App. loc.
cit.

The Proconsul staid some time in *Asia*, to settle the government, plunder the inhabitants, amass money for the *Italian* war, and enrich his soldiers. The *Ilienses*, the *Cbians*, the *Rhodians*, the *Lycians*, the people of *Magnesia*, who had all suffered great losses and hardships by *Mithridates*, were re-established in their liberty, and declared the friends and allies of *Rome*. *Sylla* then published an edict, commanding all the slaves who had been set free by the king of *Pontus* to return to their masters. This edict occasioning great tumults, and some cities revolting, the *Romans* made a prodigious slaughter of the people, both slaves and free, demolished the

walls

walls of many towns, and sold all the effects belonging to the inhabitants of many others. Those of *Mithridates's* party were every where severely punished, especially the *Ephesians*, who had taken from their temples the presents which the *Romans* had dedicated to the Gods. After this, the Proconsul convened at *Ephesus* an assembly of deputies from all the cities of *Asia*. There he represented to them, the kindness of the *Roman* People to the *Asiatics*, in delivering them from the yoke of *Antiochus* the Great, and in declaring them all free, except some nations which they had given to *Eumenes* and the *Rhodians*, rather as allies than subjects; and he reproached them with their readiness to join *Mithridates*, and execute his cruel orders. He added, you have been in part punished for these crimes by the king of *Pontus* himself, who exhausted you by rapine and slaughter, deprived you of your lands, cancelled the debts due to you, set your slaves at liberty, placed tyrants in some towns, and gave all sort of encouragement, both by sea and land, to pirates and robbers (from whence you may know, by experience, what patrons you chose to yourselves, in the room of those you renounced), and the authors of these mischiefs have been in part punished by us. Nevertheless, a public punishment must be inflicted for your demerits. But far be it from *Roman* clemency to command impious murders, unmerited confiscations, and to deprive masters of their slaves; barbarous practices, of which my mind abhors the very thought. Regard shall be had

Y. R. 668.
Bef. Chr.
84.
367 Conf.

Idem, p.
212.

Idem, p.
213.

V. R. 668.
 Bef. Chr.
 84.
 367 Conf.

to the *Grecian* name, the glory of *Asia*, and our ancient friendship. I shall therefore (and may the Gods prosper it) only fine you in a sum to the value of five years tribute, which I now order to be paid, over and above the expences I have been at in this war, and the usual taxes due from the province. I shall settle in just proportions what each city is to advance, and fix a time for payment. All who disobey I shall look upon as enemies.

Plut. in
 Sylla.

3,875000l.
 Arbuth.

el. 108. 4d.
 Id.

31. 12s. 3d.
 Id.

App. Mi-
 thrid. p.
 213.

After this most gracious speech, he sent parties of soldiers into all the towns to collect the several sums required. The people were obliged to borrow money at high interest, and to mortgage their theatres, their gymnasiums, the fortifications of their towns, their walls, and whatever belonged to the public. According to *Plutarch*, the public fine, imposed upon *Asia*, amounted to twenty thousand talents. Beside this, *Sylla* gave up the people to the insolence and covetousness of his soldiers, obliging their hosts to pay to each of them sixteen drachms a day, and to entertain them and as many of their friends as they should please to invite. Every centurion had fifty drachms a day allowed him, and two suits of apparel^a.

Nor did the Proconsul defend the *Asiatics* from the pirates, to whom *Mithridates* had given such encouragement, that they not only infested the

^a According to *Salust*, *Sylla*, to gain the affections of his soldiers, first introduced debauchery and drinking among them, and taught them to admire statues and pictures, and to rife private houses, plunder temples, &c. *Bell. Cat. c. xi.*

seas, but were become terrible to the towns. *Sylla* quietly suffered them, while he was in *Asia*, to take *Jassus*, *Samos*, *Clazomenæ*, and *Samothrace*, and to plunder the temple in the last-mentioned place of ornaments to the value of a thousand talents. At length he prepared for his *Italian* expedition; and leaving *Muræna* in *Asia*, at the head of that army, which *Fimbria* had lately commanded, he set sail from *Ephesus*, and, the third day, arrived at *Athens*, where he was initiated in the *Eleusinian* mysteries.

At *Rome*, *Cinna* and *Carbo* had continued themselves in the Consulship for the new year, and the former had married his daughter to the famous *Julius Cæsar*. On the news of the approach of *Sylla* with a victorious army, a great fleet, and an immense treasure, the Consuls levied soldiers all over *Italy* to a prodigious number, fitted out ships, and collected money and provisions for the impending war. The Proconsul, not daunted at these preparations, wrote a letter to the Senate, wherein he reckoned up all his exploits, from the time of his Quæstorship to that of his Consulship, against the *Numidians*, the *Cimbri*, and the *Italians*; exaggerated his victories over *Mithridates*, and boasted of the number of nations he had reduced to the obedience of *Rome*: But he gloried in nothing so much, as that his camp had been a sanctuary for the *Roman* Citizens, whom the cruelty of *Cinna* had driven into banishment. He added, that for a reward of these services to the state, his enemies had prevailed to have him declared an exile, his house

Y. R. 668.
Bef. Chr.
84.
367 Conf.

193,750l.
Arbuth.

Y. R. 669.
Bef. Chr.
83.
368 Conf.

Sueton. in
Jul. Cæsar,
c. i.
App. de
Bell. Civ.
l. i. p. 396.

App. ibid.
p. 397.

Y. R. 669.

Bef. Chr.

83.

368 Conf.

Liv. Epit.
lxxxiii.

demolished, his friends murdered, and his wife and children forced to fly from *Rome* to save their lives: but that he would soon return, and take vengeance, both on his private enemies, and those of the public. The rest of the Citizens, the new as well as the old, he promised not to hurt. The Senate, terrified at this letter, immediately dispatched commissioners, with an earnest request to him to be reconciled to his adversaries, offering him the security of the public faith for the performance of whatever he should demand. At the same time, they forbid the Consuls to make any more levies till an answer could be obtained from him. *Cinna* promised to obey; but no sooner were the commissioners set out from *Rome*, than the Consuls made a progress through *Italy*, enlisting soldiers, and forming different armies to oppose their enemy. Their design was, that the seat of the war should be abroad; and, with this view, they ordered forces to be transported into *Dalmatia*. The first detachment had a safe passage, but the next, meeting with a storm, returned home, and dispersed themselves, giving out every where, that they would not fight against their countrymen. The rest of the army, encouraged by this example, refused to embark for *Dalmatia*. Whereupon *Cinna* assembled them, and by menaces would have compelled them to obey, but they mutinied, and slew him ^b.

^b *Plutarch* says, the mutiny was occasioned by a suspicion, that *Cinna* had murdered *Pompey* (afterward surnamed the Great); that *Cinna*, in his flight, was overtaken by a Centurion; that when this man was going to run him through, he

Carbo,

Carbo, by the death of his colleague, remaining sole master of the administration, found various pretences to put off the election of a new Consul to the next year. In the mean time, the commissioners who had been sent to *Sylla* returned with an answer to this effect (according to *Appian*), that he would never have any friendship with the actors of such crimes; that if the *Roman People* had an inclination to pardon them, he would not oppose it; but that those would be in the safest condition, who took refuge with him, as he had an army so much at his devotion^c. By which [last] words, says *Appian*, it was plain, he designed to retain his command, and to possess himself of the government*.

Carbo, to keep the *Italians* steady to his cause, would have obliged all the towns and colonies of *Italy* to give hostages for their fidelity. But the Senate hindered the execution of this project. However, by the interest of his party, he got a Law passed, for distributing the freedmen among all the five and thirty tribes, and obtained a decree of the Senate, ordaining that all armies every where should be disbanded.

fell on his knees, and offered him, if he would spare his life, a seal ring, which was of great value. I do not come, said the officer, to seal a contract, but to punish a wicked, and a cruel tyrant; and, at these words, plunged his sword in the Consul's body. *Plut. in Pomp.*

^c The Epitome of *Livy*, l. lxxxiv. (with which *Vell. Pat.* seems to agree) tells us, that *Sylla* offered to submit to the authority of the Senate, on condition, that all who had been banished by the *Marian* faction, and had fled to him, should be restored: and that *Carbo*, and his party, hindered these terms from being accepted.

Sylla

Y. R. 669.
Bef. Chr.
81.
368 Conf.

App. de
Bell. Civ.
l. i. p. 398.

* *την τυραν-
νίδα.*
Liv. Epit.
l. lxxxiv.

Y.R. 669.
Ref. Chr.
83.
368 Conf.

App. de
Bell. Civ.
l. i. p. 398.
Plut. in
Sylla.

Sylla paid no regard to this decree. Leaving *Athens*, he marched to *Dyrrachium*, in order to embark there on board a fleet of twelve hundred ships, (1600, according to *Appian*). Before he set sail, he began, it is said, to fear lest his troops should, on their arrival in *Italy*, disband themselves, and return to their respective homes. But they soon freed him from his apprehensions; for, of their own accord, they took a new oath of fidelity to him; nay, thinking that he wanted money, they made a contribution among themselves, and offered it to him: but he declined their present.

Y.R. 670.
Ref. Chr.
82.
369 Conf.

App. loc.
cit.

App. p.
400.

It was in the Consulship of *L. Cornelius Scipio* and *C. Junius Norbanus*, that *Sylla* landed at *Brundisium*, with an army of five *Roman* legions, and six thousand horse, beside the *Macedonian* and *Peloponnesian* auxiliaries, in all 60,000 men ^d. By *Sylla's* account, as given by *Plutarch*, the *Marian* faction had on foot 450 ^e cohorts of good troops, commanded by fifteen generals. *Appian* says, their forces, at this time, amounted to 200 cohorts of 500 men each, but that afterwards they were increased. He adds, that the People favoured the Consuls much more than *Sylla*, because he seemed the aggressor, invading his country in a hostile manner; whereas the Consuls, though they had in reality only their own interest at heart, yet pretended a view to

^d *Vell. Pat.* (l. ii. c. 24.) says, that *Sylla's* army amounted to no more than 30,000 men.

^e *Vell. Pat.* (loc. cit.) tells us, that the *Marian* army consisted of above 200,000 men.

the public good. Besides, the People, conscious of being themselves equally transgressors, took up arms out of fear, knowing, that *Sylla* would not be satisfied with chastising them, but was meditating ravages, slaughter, and destruction. Thus far *Appian*. But if we may believe *Vell. Paterculus*, all the best men flocked to *Sylla's* army. Among these, it seems, was *Cethegus*, who had been a great enemy to the Proconsul, and had by him been driven out of *Rome*, when *Cinna* was expelled. *Verres* also, so well known by *Cicero's* pleadings against him, quitted *Carbo*, to whom he had been Quæstor in *Gaul* the last year, carried off the public money with him, and took refuge with *Sylla*, that he might not be obliged to pass his accounts. The Proconsul, says *Cicero*, would not trust him as a friend, but removed him from the army, and placed him at *Beneventum*, where he could do no hurt, being narrowly watched by persons steady to the cause: yet *Sylla*, afterwards, rewarded him, as a traitor, liberally with the estates of some of the inhabitants of that town, whom he proscribed. *Metellus Pius*, *Crassus*, and *Pompey* (the son of *Pompeius Strabo* formerly mentioned), likewise repaired to *Sylla's* camp. *Metellus*, since his flight from *Rome*, when *Marius* and *Cinna* entered the city, had endeavoured to kindle a war in *Africa*, but had been driven from thence by *Fabius*, Prætor of that province. *Crassus*, on the death of *Cinna*, had raised some forces in *Spain*, transported them into *Africa*, and joined *Metellus*: but, soon quarrelling with him, he left that country, and went to *Sylla*. *Pompey* (after-

Y. R. 679.
Bef. Chr.
82.
369 Conf.

App. p.
399.

Cic. in
Ver. I. c.
12, & seq.

Liv. Epit.
I. lxxxiv.
Plut. in
Crass.

wards

Y. R. 670.

Vell. Pat.

l. ii. c. 29.

Liv. Epit.

l. lxxxv.

Plut. in

Pomp.

App. p.

399.

wards surnamed the Great) was, at this time, about twenty-three years of age. Having, by his credit in the country of *Picenum*, raised three legions, he led them to *Sylla*, and, in his march, defeated *Brutus*, one of the chiefs of the *Marian* faction, who opposed his passage. On his arrival, *Sylla* rose up to receive ^f him (a civility which he paid to none of the other generals), and saluted him by the title of *Imperator*.

Sylla, advancing into the country, fought a battle with the Consul *Norbanus*, at *Canusium*, vanquished him, and slew seven thousand of his men ^g. The Proconsul lost only seventy soldiers on this occasion, or, as some say, an hundred and twenty-four; and, if we believe *Plutarch*, he obtained this victory merely by the courage of his troops, for he led them to the attack without forming them into any order. *Norbanus* shut himself up in *Capua*; and the other Consul, *L. Scipio*, marched to oppose the enemy. As he was more solicitous to bring about a peace than to carry on the war, *Sylla*, who knew his disposition, sent him some overtures, which he very willingly listened to: but the Proconsul found various pretences to put off the conclusion of the affair. During this negotiation, his soldiers, long practised in wiles and cunning under

Plut. in
Sylla.

^f According to *Plutarch*, *Sylla* advanced to meet *Pompey*, and alighted from his horse, as soon as he came up to him.

^g In the Epitome of *Livy*, we are told, that, before this battle, *Sylla* sent deputies to *Norbanus* to treat of peace; and that the latter offered violence to them. *Appian* says, that *Sylla* sent deputies to *Norbanus* some time after the battle. Both stories can hardly be true.

so artful a master, corrupted many in *Scipio's* army by bribes, promises and flattery. At length, all the Consul's troops deserted him, and went over in a body to *Sylla*^h. *Scipio* was taken prisoner in his tent, together with his son; but the Proconsul, after having in vain endeavoured to engage them in his party, set them both at liberty: so different, says *Velleius*, was *Sylla*, when carrying on the war, from the same *Sylla*, when he had finished it. On the news of this desertion, *Norbanus* is reported to have said, that, in *Sylla*, he had to fight against a Lion and a Fox; but that the Fox was the most dangerous enemy. To him likewise the Proconsul sent deputies to treat of peace; but *Norbanus*, dreading the fate of his colleague, would not so much as return an answer. Hereupon, *Sylla* decamped, and drew nearer to *Rome*, ravaging the country in his march. *Norbanus* directed his course to the same city, but by a different rout. *Carbo*, the last year's Consul, entered it before either of them, and obtained of the Senate and People a decree, declaring *Metellus*, and all the Senators who had joined *Sylla*, enemies to the State.

Y. R. 670.

App. p. 402.

Vell. Pat. l. ii. c. 25.

Plut. in *Sylla*.

App. loc. cit.

^h *Appian* reports, that, during the truce, *Sertorius*, who had been sent by *Scipio* to consult with *Norbanus* about the articles of peace, seized upon *Suessa* in his way: that, *Sylla* looking upon this step as an infraction of the truce, *Scipio*, either conscious of the fact, or not knowing what answer to make, restored to the Proconsul the hostages he had given in the beginning of the treaty; and that the Consul's army, offended both at the taking of *Suessa*, and the returning of the hostages, deserted to *Sylla*.

About

Y.R. 670.
Bef. Chr.
82.
369 Conf.

Plut. in
Sylla.

About this time, the temple of *Jupiter Capitolinus* was burnt down in the night. Some said, it was set on fire by *Carbo's* order: some suspecting the Consuls; others *Sylla*. This last, in his Memoirs, wrote, that a slave had told him, that if he did not hasten to *Rome*, the Capitol would be burnt, and had named the day when it should happen, which was the sixth of *July*.

The rest of the summer was spent by both parties in recruiting their armies. Multitudes flocked daily to the Consuls, from all parts of *Italy* and *Cisalpine Gaul*. *Sylla*, on the other hand, dispersed emissaries up and down the country, to bring over people to his interest by bribes, promises, and threats; and, that the *Italians* might have no reason to fear him, he entered into a league with them, promising to continue to them their right of *Roman* citizenship. *Sertorius*, seeing the incapacity of the leaders of the *Marian* faction, and losing all hope of preserving *Italy*, after the desertion of *Scipio's* army, had passed into *Spain*; there to assemble troops, and maintain the war against *Sylla* and his adherents.

Liv. Epit.
l. lxxxvi.
Plut. in
Sertor.

Y.R. 671.
Bef. Chr.
81.
370 Conf.

At the next election of Consuls, *Cn. Papirius Carbo*, for the third time, and *C. Marius*, the ⁱ son of the great *Marius*, were appointed to that office.

ⁱ *Appian* calls this *Marius*, the nephew of the other *Marius*. *Florus* (b. iii. c. 21.) says, he was the brother of *Marius*, meaning *Marcus*, or, according to *Pliny*, (l. xxxiv. c. 6.) *Caius Marius Gratidianus*, whom *Catiline*, by *Sylla's* order, murdered at the tomb of *Catulus*; and whose father (says *Cicero* in *Brut.* c. 45.) was *M. Gratidius*, the sister of whom was *Cicero's* grand-

Marius,

Marius, at the head of eighty-five cohorts, fought an obstinate battle with *Sylla*, at *Sacriportus*, not far from *Præneste*: but five cohorts of foot, and two troops of horse, in the heat of the action, going over to the Proconsul, the *Marians* were routed with great slaughter. *Sylla's* Memoirs, so often mentioned, say, that he killed 20,000 of the enemy, and took 8,000 prisoners, with the loss of only twenty-three of his own men^k. Of the prisoners, all that were *Samnites* he ordered to be slain, as perpetual enemies to the *Romans*. *Marius* escaped with the remains

Y.R. 671.

Plut. in

Sylla.

App. de
Bell. Civ.

p. 403.

mother. *Cic. de Leg.* l. iii. c. 16. *Pigbius* (vol. III. p. 191, and 252.) thinks, that both *Marcus* and *Caius* were the adopted sons of the great *Marius*, a thing not very probable. That *M. Marius Gratidianus*, the son of *M. Gratidius*, was adopted by some *Marius* or other, seems plain from his name: but the Capitoline Tables, the Epitome of *Livy*, *Pliny* (l. xxxiii. c. 1.), *Velleius Paterculus*, *Dio Cassius*, *Plutarch*, *Auct. de Vir. Illust.* and *Eutropius*, call the Consul of this year, *C. Marius*, the son of *Marius*, without mentioning adoption. The Consul, according to the Epitome of *Livy*, was at this time but twenty years of age; the author of *Vir. Illust.* says twenty-five; *Vell. Pat.* twenty-six; and *Appian* twenty-seven.

^k If we believe *Plutarch*, a dream, which *Sylla* had, made him very eager to fight this battle; but his men were so fatigued with endeavouring to favour the junction of a part of their forces with the main army, that they lay down upon the ground to rest themselves; and *Sylla* was prevailed upon not to offer battle. But *Marius* marching up boldly to the entrenchments, *Sylla's* soldiers, in a passion, sallied out upon their enemies, and routed them at the first shock. *Fenestella*, and some other authors, wrote, that *Marius*, exhausted with fatigue, fell so fast asleep under a tree, that he did not hear the noise of the battle, and could scarce be waked by the flight of his troops.

of

Y. R. 671.
Bef. Chr.

81.

370 Cenf.

App. P.
404.
Cic. Ep.
Fam. l. ix.
Ep. 21.

Dio. Caff.
ap. Valef.
p. 654.

of his army to *Præneste*, which *Sylla* soon after blocked up.

About the same time *Metellus* defeated another army of the *Marrians*, the victory being facilitated by the desertion of some of their cohorts during the battle. Young *Marius*, seeing his affairs desperate, and being eager to revenge himself upon his enemies, sent orders to *Brutus Damasippus*, the Prætor of *Rome*, to assemble the Senate upon some pretence, and put to death *L. Domitius*, *P. Antistius* (*Pompey's* father-in-law), *Mucius Scævola*, the Pontifex Maximus, and *C. Carbo*, a relation of the Consul, and, according to *Cicero*, the only good man of the family. This cruel^{*} order was punctually executed, and, according to the custom then established at *Rome*, the bodies of the slain were thrown into the river.

Sylla, proposing to march to *Rome*, left the blockade of *Præneste* to the care of *Lucretius Ofella*, an obscure man: for the Proconsul, if we may credit *Dio Cassius*, being now almost sure of the victory, began to neglect the Nobles, who had hitherto done him singular service, and to put his chief confidence in men of low birth and no virtue, as knowing, that these would be ready instruments of his wicked purposes, and that they would not arrogate to themselves the glory of any exploit by him performed. On his approach toward the Capitol, those of the *Marian* faction fled from it. The inhabitants, famished with

* The Epitome of *Livy* (l. lxxxvi.) places this order before the battle of *Præneste*, and adds, that the Prætor murdered all the Nobles that were in *Rome*.

hunger,

hunger, immediately opened their gates to him, and he, as soon as he was master of the city, confiscated the effects of *Marius's* followers. Then, assembling the People, he told them, that the wickedness of his enemies had forced him upon those measures, and exhorted the citizens to take courage, for that, in a short time, they would see an end of their miseries, and the commonwealth settled upon a good footing. Having ordered all matters in the city, according to the present exigence, and left a guard there, he marched to *Clusum*, where he fought a battle with the Consul *Carbo*: it lasted the whole day, and night put an end to it before victory had declared on either side¹. After this, *Carbo* having sent eight legions under the command of *Marcus* to relieve *Præneste*, *Pompey* laid an ambuscade for those troops, and with great slaughter forced them to retire to an eminence, where he surrounded them: and, though *Marcus* brought them off in the night, yet, they thinking they had been defeated through his fault, the greater part of them disbanded themselves, so that he returned to *Carbo* with only seven cohorts.

Y. R. 671.

App. p.
404.

Idem, p.
405.

About the same time, this Consul, in conjunction with *Norbanus*, attacked *Metellus's* camp at *Faventia*, in the evening, but without success. Ten thousand of their men were killed, 6,000 surrendered themselves to the enemy, and the rest were dispersed in such a manner, that only a thousand men retired, with their commanders, to *Arretium*.

App. p.
406.

¹ The Epitome of *Livy*, l. lxxxviii. gives the victory to *Sylla*.

Y. R. 671.

Bef. Chr.

81.

370 Conf.

On the news of this defeat, a legion of *Lucanians*, under *Albinovanus*, deserted their leader, and went over to *Metellus*. *Albinovanus* returned to his general *Norbanus* at *Arretium*, but it was only, the more infamously, to betray him. For, soon after, being bribed by *Sylla*, he invited to an entertainment *Norbanus*, his lieutenants *Apustius* and *Fimbria* (brother of that *Fimbria* who had killed himself in *Asia*), and all the chiefs of the *Marian* party then in the town, and caused every one of them to be murdered, except *Norbanus*, who did not come to the entertainment. The assassin made his escape to *Sylla*, to whom *Ariminum*, about this time, revolted, and some *Marian* armies, in that neighbourhood, deserted. After so many misfortunes, *Norbanus*, apprehending that none of his people would be steady to him, embarked on board a small vessel, and sailed to *Rhodes*. *Sylla* sent to demand him, and, while the *Rhodians* were deliberating, whether they should give him up, he killed himself in the middle of the Forum.

Carbo, notwithstanding these disasters, made several attempts to relieve *Præneste*, but without success. A detachment of his army was routed at *Placentia*, by *Lucullus*, one of *Sylla's* lieutenants; and all *Cisalpine Gaul* submitted to *Metellus*. Hereupon, *Carbo*, though he had 30,000 men at *Clusium*, two legions under *Damaspippus*, and two more, commanded by *Marcus* and *Carinas*, besides a powerful army of *Samnites* and *Lucanians*, yet abandoned *Italy*, and passed into *Africa*. After his departure, his troops at *Clusium*

were

Idem, p.
407.

were entirely defeated by *Pompey*, and 20,000 of them cut off. Y. R. 671.

Some time before this, *Pontius Telestinus*, a *Samnite*, and *M. Lamponius*, a *Lucanian*, had levied 40,000 men in those countries, and attempted to raise the blockade of *Prænestæ*. According to *Appian*, they were now joined by *Damasippus*, *Marcus*, and *Carinas*, with the troops under their command°. But, fearing to be hemmed in between the armies of *Sylla* and *Pompey*, who were advancing, with great expedition, to attack them in front and rear, *Telestinus*, an able general, and a brave man, disappointed their purpose; he decamped in the night, and marched directly to *Rome*. On his arrival there, the terror was no less than when *Hannibal* appeared before the gates. Yet the *Roman* youth marched out boldly, and attacked the enemy, but were repulsed with loss. In the mean time, a body of horse, detached by *Sylla*, came opportunely to the assistance of the citizens, and the general himself, with all his army, approached soon after. His troops were fatigued with their march, which some of his officers observing, and considering, that they were to fight with *Samnites* and *Lucanians*, endeavoured to persuade him to defer the engagement. He, nevertheless, ordered the trumpets to sound a charge. On the other hand, *Pontius Telestinus*, an implacable enemy of the *Roman* name, walking through the ranks of his army,

Plut. in
Sylla.
Vell. Pat.
l. iii. c. 27.
App. loc.
cit.

° Vell. Pat. and Plutarch make no mention of the *Samnites* being joined by any *Roman* troops.

Y. R. 671.

Bef. Chr.

81.

370 Conf.

cried out, "The last day of *Rome* is come. The city must be razed to the ground. Wolves will never be wanting to prey upon the liberties of *Italy*, till the wood in which they shelter themselves is cut down." The day was far spent before the battle began, which, it would seem, lasted the whole night, with great obstinacy on both sides. *Sylla's* left wing, in which he commanded in person against *Telesinus*, was entirely routed; and he himself was in imminent danger of being killed by two men, who, at the same instant, threw their darts at him: he escaped by his groom's opportunely striking his horse. It is said, that when he saw his men give ground, he took out of his bosom a little image of *Apollo*, which he had stolen from the temple of *Delphi*, and had ever since carried about him when engaged in war. Kissing it with great devotion, he expostulated with the God for having brought him to perish dishonourably with his countrymen, at the gates of his native city, after having raised him, by many victories, to such a height of glory and greatness. Then throwing himself among his troops, he endeavoured, by intreaties and threats, to make them face the enemy. All was to no purpose. They were routed with great slaughter, and, in their flight ° to the camp, hurried him along with

° According to *Appian*, they fled to *Rome* with the *Samnites* at their heels, and the *Romans*, fearing lest the enemy should enter the town, let fall the *Portcullis*; so that *Sylla's* men, urged by fear and necessity, returned to the fight, and

them,

them. There, when it was very late in the night, messengers came to him from *Crassus* (who had commanded the right wing), with the good news, that he had defeated the left wing of the enemy, and pursued them to *Antemna*, where he kept them blocked up.

Y. R. 671.
Bef. Chr.
81.
370 Conf.

Most of the *Samnites* and *Lucanians* fell that night in battle, and, among the rest, *Pontius Telesinus*, who was found the next day with a countenance, says *Velleius*, which more resembled that of a conqueror, than of a dead man.

As soon as it was light, *Sylla* marched to join the forces at *Antemna*. Three thousand of the enemy sent deputies to him, asking pardon, and offering to submit. He answered, that he would spare their lives, if they would do some signal mischief to the rest of his enemies. Whereupon, those wretches turned their swords against their companions, killed a great number of them, and then surrendered themselves to the Proconsul.

The enemy being entirely dispersed, *Sylla* sent the heads of *Pontius Telesinus*, *Marcus*, and *Carinas*, (the two last having been taken in their flight) to *Lucretius Ofella*, at *Prænestæ*, with orders to have them carried round the walls of the town. On the news of *Sylla's* victory, and of the flight of *Norbanus* and *Carbo*, and of the con-

App. p.
408.

obtained the victory. But since *Sylla* came last before the city, we must suppose, that the enemy was between it and him, and, consequently, that his troops could not fly thither. By the same author's account, the loss on both sides amounted to 50,000 men, and 8,000 were taken prisoners.

Y. R. 671.
Bef. Ch. 1.
81.
370 Conf.

Liv. Epit.
l. xxxviii.
App. p.
408.

Plut. in
Sylla.

Plut. loc.
cit.
Liv. Epit.
l. lxxviii.
Dio. Cass.
ap. Val. p.
657.

queror's being master in *Rome*, the inhabitants of *Prænestæ*, in despair of relief, opened their gates to *Lucretius*. *Marius*, in attempting to make his escape through some subterraneous passages, was slain by those who guarded him. Some say, he fell by his own hand: others, that he and the younger brother of *Pontius Telesinus* fought together, and that *Telesinus* being killed, and *Marius* wounded, the latter caused his slave to dispatch him. *Lucretius* sent his head to the Proconsul, who, on seeing it, is reported to have said, that the young man ought to have learned to use the oar, before he attempted to manage the helm. Yet *Velleius* thinks, that *Sylla* had a high opinion of *Marius's* talents, because, upon his death, he immediately assumed the name of *Felix*, or the *Fortunate*, a name which, in the opinion of the same author, he would have been most justly entitled to, had his life ended with his victories. *Plutarch* seems to doubt, whether *Sylla's* prosperity and power did really change his disposition, or only discover his natural wickedness. It is, however, agreed, that no man ever made a more cruel use of victory. The *Romans* soon had an instance of the coolness with which he could perpetrate murders. The 3000 men, formerly mentioned, who, after massacring many of their companions, had surrendered themselves to him upon promise of their lives, he caused to be shut up in a public place, together with some other prisoners, (the whole number amounting to 6 or 8000) on pretence of enlisting them in the *Legions*. He then assembled the *Senate* in the Temple

Temple of *Bellona*, which was hard by; and while he was making a speech to the Conscript Fathers, his soldiers, according to their instructions, began to massacre the wretches he had shut up. Their cries and lamentations greatly terrified the Senators. *Sylla*, without altering his countenance, said to them, "Mind what I am saying, Conscript Fathers; 'tis nothing but a few seditious men whom I have ordered to be punished."

Y. R. 671.
Bef. Chr.
81.
370 Conf.

After this, he filled *Rome* with slaughter, sparing none of the adverse party; nay, his friends, without regard to party, murdered, with his connivance, their own private enemies; and all were such, whose birth or fortunes they envied. In the general consternation caused by these murders, *Catulus* had the courage to say to the Proconsul, "With whom do we propose to live, if, in war, we kill all who are in arms, and, in peace, all who are unarmed?" And *C. Metellus* asked him in the Senate-house, "What end there was to be to these calamities?" He added, "We do not petition you to spare such as you have determined to destroy, but to quiet the apprehensions of those whom you intend to save." *Sylla* answered, "That he was not yet certain, whom he should leave alive." Then *Metellus* (or, according to others, one *Aufidius*) desired him to let them know, who they were whom he had determined to punish. *Sylla* promised he would, and, on the morrow, caused to be fixed up in a public place an edict with a list of the names of eighty^a persons, whom he doomed to death.

Senec de
Clement..
l. i. c. 12.
Plut. in
Sylla.

Orof. l. v.
c. 21.

Plut. in
Sylla.

^a According to *Orosius*, this first Proscription was before

Y. R. 671. This method of condemnation was called PRO-
 Vell. Pat.SCRIPTION; a method of which *Sylla* was the in-
 l. ii. c. 28. ventor. By the edict, it was made capital to
 App. p. entertain or save any of the proscribed. A re-
 409. ward of two talents was offered for each head;
 Plut. in even a slave was entitled to it for killing his
 Sylla. master, and a son for murdering his father. The
 estates and effects of the condemned were con-
 fiscated, and their children and grandchildren de-
 clared incapable of holding any office in the
 state. *Sylla*, says *Sallust*, was the first among
 men, who appointed punishments for people yet
 unborn, and prepared injuries for those whose
 life was yet uncertain.

Sall. Bell.
 Cat. c. 57.

App. p.
 409.

Val. Max.
 l. ix. c. 2.
 § 1.

The day after the first Proscription, *Sylla* pub-
 lished a new list of 220 Persons whom he con-
 demned, and the next day a like number. In
 an assembly of the People, he told them he had
 proscribed all he could think of, and that those
 whom he had now forgot, he would proscribe
 hereafter; and concluded with saying, that if
 the People were obedient to him, he would change
 their condition for the better; but as to his ene-
 mies, he would spare none of them. After this
 speech, he proscribed, according to *Appian*, forty
 Senators and 1600 Knights. The whole number
 of the Proscribed amounted, according to *Val.*
Max. to 4700; he adds, that *Sylla*, as if he glo-
 ried in his cruelty, caused their names to be en-
 tered in the public registers; but, probably, this

the surrendry of *Prænestæ*, or the death of *Norbanus*: for *Marius*
 and *Norbanus*, *Carbo* and *Scipio*, were among the proscribed.

was

was done, that it might be known, in future times, whose descendants stood excluded from offices. Whatever was the number of the proscribed, that of the slain seems much to have exceeded *Valerius's* account. And (if we may believe *Dio Cassius*) when *Mithridates* ordered all the *Italians* in *Asia* to be murdered, there did not perish near so many of that nation, nor by such cruel deaths, as in consequence of *Sylla's* edicts. Nor did the tyrant confine his cruelty to *Rome*. His assassins roamed over all *Italy*, every where searching out the favourers of the *Marian* faction. It was a crime, not only to have borne arms against *Sylla*, but to have given even the least assistance to his enemies, to have been in friendship with them, to have lent them money, nay to have travelled in company with any of them. The weight of the storm fell chiefly upon the rich, more people being murdered for their estates, than on account of party, or private revenge. Nor did *Sylla* cease his Proscriptions, till he had enriched all his friends and followers. He became the protector of all villains. Among these were *Oppianicus* and *Catiline*. The former, a *Roman* knight of *Larinum* in *Apulia*, having privately caused his wife's brother to be assassinated, that his own son might inherit the whole of his grandmother's estate, and being threatened with a prosecution by the relations of the deceased, he first took refuge in the camp of *Metellus*; and when afterwards he had procured a commission from *Sylla*, he returned to *Larinum* with a party of soldiers, and under cover of the proscription murdered all
 who

Y. R. 671.
 Bef. Chr. 81.
 370 Conf.

Diod. Sic.
 ap. Valef.
 p. 658.

App. loc.
 cit.

Cic. pro
 Cluent.
 vii. & viii.

V. R. 671.
Bef. Chr.
31.
370 Conf.

Ascon. in
Tog. cand.
Cic. de
Offic. l. iii.
c. 20.
Plin. l.
xxxiii. c. 9.
Liv. Epit.
l. lxxxviii.
Senec. de
Ira, l. iii.
c. 18.
Flor. l. iii.
c. 21.
Plut. in
Sylla.
Cic. de Pet.
Consul.
Val. Max.
l. ix. c. 2.
§ 1.
Vell. Pat.
l. ii. c. 41.
Sueton. in
Jul. c. i.

who had threatened to bring him to trial. *Catiline* had formerly murdered his own brother, and now obtained of the Proconsul, that his brother's name should be inserted among the proscribed, as if he had been still living. In return for this favour, *Catiline* undertook the punishment of *M. Marius Gratidianus*, a man who had been twice Prætor, and so great a favourite with the Roman People, for his having promulgated a Law against the adulteration of the coin, that they erected statues to him in all quarters of the City, and offered incense before them. *Catiline* caused *Gratidianus* to be whipped through the town, then dragged to the tomb of *Q. Lutatius Catulus*, where his legs and arms were broke; his eyes put out, and his hands and ears cut off; and when he had been tortured in every member, *Catiline* himself cut off his head, while he was yet alive, and, having carried it to *Sylla* in the Forum, went and washed his bloody hands in the lustral water, that was at the door of *Apollo's* temple. *M. Platorius*, a Senator, was put to death for fainting away at the execution of *Gratidianus*.

In the great danger of the proscribed was *C. Julius Cæsar*. His aunt had been married to the elder *Marius*, and he himself was son-in-law to *Cinna*. All *Sylla's* authority could not prevail with him to divorce his wife; he was therefore degraded from the office of Flamen Dialis, deprived of his patrimony, and forced to abscond to save his life. At length, the Vestal virgins, and several of the chief men of *Rome*, earnestly intreating, that he might be spared, *Sylla* answered,

odw I

" You

"You have prevailed; but know that he, whom
"you so eagerly wish to save, will one day prove
"the ruin of the party, which you and I have
"been defending. You have no penetration, if,
"in that boy, you do not see many *Marius's*."

Y.R. 671.
Bef. Chr.
81.
370 Conf.

The tyrant, not contented with proscribing particular persons, extended his revenge to whole towns and nations. *Spoletum*, *Interamna*, *Florentia*, *Sulmo*, and *Præneste*, were razed to the ground, most of the inhabitants massacred, and their effects sold. All the *Samnites* he put to death, or banished *Italy*, alledging that, while they remained united, the *Romans* would never have peace; so that, in *Strabo's* days, all their towns were either in ruins, or dwindled into villages.

App. p.
410.
Flor. iii.
21.

All *Italy* now submitted to the conqueror, except *Nola* and *Volaterræ*; but the *Marian* faction had still leaders in the provinces. *Sertorius* had assembled an army in *Spain*; *Perperna* prepared to defend *Sicily*, and the Consul *Carbo* and *Domitius* (*Cinna's* son-in-law) were in *Africa*. *Pompey*, in virtue of a commission from *Sylla*, passed with an army into *Sicily*, whereupon *Perperna* abandoned the island. Soon after, *Carbo*, who had left *Africa* to go into *Sicily*, stopped at *Cossura*, and from thence sent *M. Bratus* to *Lilybæum*, to learn whether *Pompey* was there. *Bratus's* vessel being surrounded by some of the enemy's ships, he slew himself, that he might not fall into the enemy's hands; and *Pompey*, having dispatched some vessels in pursuit of *Carbo*, took him prisoner, with all his attendants. These he caused to be slain, without suffering them to come into

Strab. l. v.
P. 249.

Plut. in
Pom.

Liv. Epit.
l. lxxxix.

App. p.
410.

his

Y. R. 671.
Bef. Chr.
31.
370 Conf.

Val. Max.
l. v. c. 3.
§ 5.

App. de
Bell. Civ.
P. 411.
412.

his presence, but the Consul to be brought in chains before his Tribunal; and when from thence he had reproached him in a long and bitter invective, commanded him to be led to execution. [*Pompey* has been censured, with some severity, for this treatment of *Carbo*, a man who had been thrice Consul, and had warmly patronized him, when all the effects of his father, *Pompeius Strabo*, were, after his death, going to be confiscated, for his having embezzled the public money.]

Both the Consuls being dead, and the time for the election of new Magistrates approaching, *Sylla* left *Rome*, and went to his camp, from whence, by a message to the Senate, he signified his desire, that they would name an *Interrex*. The Fathers pitched upon *Valerius Flaccus*, hoping, that he would hold the Comitia for an election of Consuls: but *Sylla* wrote to *Valerius*, advising him to propose to the PEOPLE the creating a DICTATOR, who should hold that office, *not for any fixed term, but till the affairs of Rome, Italy, and the whole empire, that were in great disorder through the late wars, should be entirely settled.* At the bottom of the letter he added, that, *with their approbation, he would burthen himself with the care of doing the Republic that service.*

Valerius, having convened the People, proposed and passed a Law, which not only constituted *Sylla* DICTATOR for an unlimited time^d, but likewise

^d There had been no DICTATOR in the Republic, during the last 120 years: and this is the first instance of a Dictator ratified

ratified every thing he had hitherto done, and gave him a full and uncontrollable power^c over the lives and fortunes of his Fellow-citizens: "A Law (says *Cicero*) the most iniquitous that ever was made, and the most unlike a Law:" and indeed it is harder to conceive how a Law, so contrary to the very essence of civil society, should ever be proposed, than that it should pass, at this juncture, without opposition.

Y. R. 671.

Plut. in

Sylla.

Cic. 3. in

Rul. c. 2.

TOR created by the PEOPLE, or for an indeterminate time: The People had once, indeed, in a time of great distress, during the second Punic War, created a PRO-DICTATOR, but without giving him the power of naming his general of the horse. See Vol. II.

^a *Legem interrex noster tulit, ut Dictator quem vellet civium, indictâ causâ, impune posset occidere. 1 De Leg. 3287. Omnium legum iniquissimam dissimillimamque legis esse arbitror eam, quam Lucius Flaccus interrex de Sylla tulit, ut omnia, quæcunque ille fecisset, essent rata. Nam cum cæteris in civitatibus, Tyrannis institutis, Leges omnes extinguantur atque tollantur, hic Rcip. Tyrannum Lege constituit. Cic. in Rul. iii. 2.*

THE ROMAN HISTORY.

EIGHTH BOOK.

From the Year 671, when SYLLA was created *Perpetual* DICTATOR, to the commencement of the FIRST TRIUMVIRATE, formed in the end of 693.

CHAP. I.

The Laws and Institutions of SYLLA, when DICTATOR. POMPEY's successes in Africa: For which he obtains a Triumph at his return to Rome. SYLLA abdicates the DICTATORSHIP in 674; and dies in 675.

Appian.

SYLLA, having rewarded *Valerius*, the *Inter-rex*, with the office of *general of the horse*, came into the Forum, attended by four and twenty *Lictors*; in whose *Fasces*, to the great terror of the City, appeared the *axes*, which were never seen in the *Consular Fasces*, within

within the walls of Rome. Beside these Licitors, he had for his guard, a numerous band of rufians, ever ready to execute his commands; and that all this was not merely *in terrorem* became quickly manifest.

Y. R. 671.
Bef. Chr.
81.
370 Conf.

To preserve somewhat of the old form of the Commonwealth, it was the pleasure of the Dictator, that *Consuls*, *Prators*, and other Magistrates, should be elected as usual. *Lucretius Ofella*, who had lately reduced *Præneste*, presented himself a candidate for the Consulship. The Dictator forbid him to stand: Nevertheless *Ofella*, having interest with the People, and many friends among the Great, and having recently done the cause of *Sylla's* party so considerable a service, imagined he might safely disregard the prohibition. He persisted, therefore, to solicit the voters. The Dictator, from his Tribunal, observing it, sent to him a centurion, who killed him upon the spot. A tumult, an uproar^d en-

Plut. in
Sylla.
Liv. Epit.
l. lxxxix.
Appian.

^d *Appian* tells us, that, on this occasion, *Sylla* spoke thus to the People. "A countryman, being bitten by vermin, cleared his shirt of them once or twice; but when he found himself again teized by them, he threw his shirt into the fire. Make the application."

The same author (p. 413.) says, that *Ofella* was treated with this rigour, because he had the audaciousness (in violation of a Law, which the Dictator had lately published) to sue for the Consulship, though he had not yet been either *Prætor* or *Quæstor*, but was still in the order of *Knights*. But *Vell. Pat. l. ii. c. 27.* tells us, that *Ofella* was *Prætor* when he left *Carbo's* party, and went over to *Sylla*: and it is not probable, that *Sylla's* Institutions were yet published.

fued;

Y. R. 671. sued; the assassin was seized, and brought prisoner to the foot of the Tribunal; *Let him go*, said the DICTATOR, *he has only obeyed my orders.*

Y. R. 672. After this, he caused *M. Tullius Decula*, and *Cn. Cornelius Dolabella*, to be elected Consuls. The
Bef. Chr. 80.
371 Conf. government of *Italy* fell by lot to *Decula*, that of *Macedonia* to his colleague.

Val. Max. l. xi. viii. After these elections, towards the end of *January*, the DICTATOR made his *Triumphal* entry into *Rome*, on account of his conquest in the

Plut. in Sylla. 473. East. The Procession, which lasted two days, was adorned with the richest spoils of *Asia*: But neither the name of any *Roman* citizen vanquished by him, nor the representation of any city by him taken, that belonged to the *Romans*, appeared there. The principal ornament of his *Triumph* was a long train of Senators and other eminent Citizens, who, having been protected by him from the fury of *Marius* and *Cinna*, followed his chariot, calling him their *Father* and preserver, and proclaiming, that they owed to him their lives, and whatever else they enjoyed that was dear to them. At the same time, some of his soldiers, agreeably to the freedom allowed on these occasions, called his Dictatorship a *disguised*

Appian, P. 414.

* *Pliny* (l. xxxiii. c. 1.) tells us, that on the first day were carried 15000 pounds weight of gold [i. e. 960000 l. sterl.] and 115000 pounds weight of silver [which is 371354 l. 3 s. 4 d. sterling, which he had amassed in the war against *Mitbridates*. And that on the second day were carried 13000 pounds weight of gold [i. e. 832000 l. sterl.] with 6000 of silver [i. e. 22604 l. 3 s. 4 d.] which had been saved when the Capitol was burnt, and had been transported to *Præneste* by the younger *Marius*.

royalty; intimating, that, though he declined the title, he was in effect a KING: Others, who were disposed to call things by their true names, termed it a *manifest tyranny*, that is, an *usurped despotism*.

Y. R. 672.
Bef. Chr.
80.
371 Conf.

The ceremony over, *Sylla* ascended the Rostra, and, in a studied speech, gave a pompous account of his exploits, ascribing all his success to FORTUNE, and desiring they would give him no other surname, but that of FORTUNATE, [FELIX^f]; which, accordingly, was given him in the inscription upon the pedestal of the gilt equestrian statue erected, at this time, to his honour, by a decree of the Senate &.

Plut.

Though *Sylla*, by assuming the DICTATORSHIP, for an indeterminate time, brought the *Romans*, originally governed by KINGS, to be again subject (as *Appian* observes^h) to regal domination;

^f *Sylla*, in writing to the *Greeks* in their language, stiled himself *Epaphroditus*, *Beloved of Venus*, in that manner translating the word *Felix*. His trophies, that were still extant in *Plutarch's* time, bore this inscription, LVCIVS CORNELIVS SYLLA EPAPHRODITVS. And when his wife *Metella* was delivered of twins, a boy and a girl, he gave to both the name of *Happy*, calling the boy *Faustus*, the girl *Fausta*. Plut. in *Sylla*.

^g The *Triumph* was followed (if we may believe *Appian*) by magnificent games; for the celebration of which *Greece* was exhausted of all her best performers in every kind of exercise; insomuch, that, at the *Olympic games*, there was no contention this year, but in the exercise of running [*ἰσχυρὰ δρόμῳ*]. App. p. 412.

^h Οὕτω μὲν δὲ Ῥωμαῖοι βασιλεῦσιν ——— χρυσάμειον ——— αὐτοῖς ἐπιτιμῶντο βασιλείας. App. de Bell. Civ. l. i. p. 412.

N. B. It appears from these words, that *Appian* did not think the government of *Rome* to have been in the time of its KINGS so democratic as Dr. *Middleton* and Dr. *Chapman* have represented it See *Observations*, &c. p. 99.

Y. R. 672.
Bef. Chr.
80.
380 Conf.

Liv. Epit.
l. lxxxix.
App. de
Bell. Civ.
413.

yet from some of the first acts of this new king, it would seem, that he never meant to retain the sovereignty, longer than till he had satiated his revenge, and could return, secure of impunity, to the condition of a private Citizen. That he might be able to make a *safe* retreat from public life, he laid the foundation of an Aristocracy in the *Roman* state, by such ordinances as, upon his abdication of the DICTATORSHIP, would leave all authority and power in the hands of the SENATE: taking especial care, at the same time, that the SENATE should consist wholly of his own creatures. His Proscriptions had very much thinned the Assembly, and had left in it (we may presume) few or none, but such as he believed to be entirely at his devotion. To these he added 300 of the most considerable men of the *Equestrian* order: But in making this addition, he complimented the PEOPLE with the *choice* of the

From *Sylla's* remitting to the People the nomination of the 300 Knights, who were to have admission into the SENATE, Dr. *Middleton* would infer a probability, that the PEOPLE, in virtue of a constitutional right, had, *in all times*, filled up, by their elections, the vacancies which happened in that house. *Middleton's treatise on the Roman Senate*, p. 73. He might, with almost as good reason, have inferred, from *Sylla's* being named by the PEOPLE to the DICTATORSHIP, that it had ever been the custom for the PEOPLE to choose the DICTATORS.

As *Sylla*, by appropriating to the Senators the honour of judicature, deprived the People of the privilege of annually choosing the persons, who were to perform the office of Judges; his view, perhaps, in taking the votes of the tribes, upon the 300 Knights, whom he recommended to them for Senators, was to lessen the discontent of the multitude; this compli-

Persons, gathering the votes of the TRIBES upon every individual of the 300 Knights, proposed

Y. R. 673.
Bef. Chr.
80.
371 Conf.

ment carrying some appearance of remitting to them, for the present, the nomination of the greater part of the JUDGES.

Appian [*de Bell. Civ.* p. 386.] speaks of a prior addition of 300 members to the Senate, in the year 665, when *Sylla* was Consul, and says, that this lection was made from the most reputable of the Citizens, ἐκ τῶν ἀρίστων ἀνδρῶν. But Dr. *Middleton*, in his *Treatise on the Roman Senate*, takes no notice of this pretended prior addition: He says only, that “*Sylla* when it [the Senate] was particularly exhausted, added “THREE HUNDRED to it at once from the *Equestrian Order*; “which might probably raise the whole number to about 500, “and in this state it seems to have continued till the subversion of their liberty by *J. Cæsar*. For *Cicero*, in an account of a particular debate, in one of his letters to *Atticus*, “mentions 415 to have been present at it, which he calls a full “house.” *Middleton’s Treatise on the Roman Senate*, p. 91.

Father *Catrou*, the Jesuit, passes over the pretended addition of 300 members, made to the Senate by *Sylla* in 665, without taking the least notice of it in his text, as if he gave no credit to *Appian’s* report: and though it be mentioned by *F. Rouillé*, in a note on the other’s text, it is mentioned only as a report made by *Appian*. *M. Crevier* omits it entirely; and *Pighius*, in this particular, pays no farther regard to *Appian’s* authority, than to say in general terms, when speaking of *Sylla’s* Consulship in 665, *ampliavit Senatam*.

But Dr. *Chapman* takes for granted the prior addition of 300 members reported by *Appian*. “We are not however “(says the Doctor) to suppose from this, or even the second “lection made by *Sylla*, when raised to the DICTATORSHIP, “that the Senate from this time amounted to six hundred: “For as the house is said to have wanted much of its due “complement in both these instances, it is probable it fell “considerably short of that number, even after each of these “two additions was actually made. What therefore the “Senate’s precise number was from henceforth, we cannot “take upon us to determine. Only as *Cicero* [*Attic.* 1. i. “14.] in speaking of a debate about twenty years afterwards,

Y. R. 672.
Bef. Cnr.
80.
371 Conf.

to them for their approbation; a *choice*, in which they were, unquestionably, just as free, as they

" mentions 415 members being then in the house, 'tis probable, that the whole in *Sylla's* time amounted to 500 at least."

As to the *precise number* of members, of which the SENATE, after the addition to it of 300, did immediately consist; and of which *Sylla* intended it should, for the future, always consist (when complete); if we cannot ascertain it, yet, perhaps, by the help of some considerations, which the state of things at that time suggests, we may make a reasonable conjecture. *Tacitus* tells us (as we see above in the text) that by one of *Sylla's* laws, twenty Quæstors were to be created annually for supplying the SENATE, to which he had transferred the JUDICATURE. *Legē Syllæ viginti [Quæstores] creati SUPPLENDO SENATUI, CUI JUDICIA TRADIDERAT. Tacit. Ann. xi. 22.* *Pigbius* from these words gathers, that *Sylla* augmented the number of the Quæstors for this end principally, *that there might be a greater choice of men in the Senate, to serve occasionally as Judges, the sole right of judicature having been just transferred to the Senators.* " Ex quibus verbis fit verisimile, in eum maximè finem ampliassē Quæstorū Collegium, uti uberius deinceps suppetere Judicium e Senatu selectio. Nam è Senatu dicebantur esse non solum Patres Conscripti vel Senatores à Censoribus lecti in eum ordinem, sed etiam populi honoribus usi, quibus in Senatum venire licebat, et sententiæ jus habebant." [And he conjectures from some passages in *Tacitus* and *Cicero*, that by *Sylla's* Law for creating TWENTY Quæstors, one half of the number was to be chosen by the People, the other named by the Consuls]

That *Sylla*, when he augmented the number of the Quæstors from eight to twenty, had the Judicature in view, can hardly be questioned; not that this augmentation would of itself be effectual for supplying the public with a competent number of persons to perform occasionally the office of judges; but would perhaps be sufficient to keep the SENATE up to its due complement of members; after his introduction of the 300 Knights into it, and his consigning the Judicature wholly to the Senatorian order. To provide Judges, in sufficient number, had

had been in their *Election* of him to be perpetual Y.R. 672.
DICTATOR.]

AND now he restored to the SENATE a privilege which they had many years lost [and by their misbehaviour had very justly forfeited] ordaining, that none but SENATORS should for the future be appointed to the office of JUDGES. Cic. in Verr. 2.

was his object in making, at once, so large an addition of members to the SENATE: To keep the SENATE full, after that addition, was his object in augmenting the number of the Quæstors. By the *Plautian* [or *Plotian*] law [*Vid. supra, ann. 664*] it had been ordained, that each TRIBE should, annually, chuse out of its own body FIFTEEN persons, to serve as JUDGES; and the honour was made common to all the three orders [*Senators, Knights, and Commoners, i. e. the Plebs*] according as the votes carried it in every Tribe. *Cn. Pompeio Strabone, L. Porcio Catone Coss. secundo anno Belli Italici, cum Equester ordo in judiciis dominaretur, M. Plautius Silvanus legem tulit, adjuvantibus nobilibus: — Ex ea tribus singulæ quinos denos ex suo numero creabant suffragio, qui eo anno judicarent. Cic. pro Cornel. & ad Att. iv.* The number of persons qualified, by this law, to sit as JUDGES, was therefore [35 times 15] 525. Now supposing the House to have had its usual complement of 300 members, at the time when *Sylla* proscribed 90 of them [*Appian, p. 415.*], if to the remaining 210 we add the 300 Knights, and the 12 additional Quæstors, the sum total of the members of the house will be 522; a number almost the very same with that of the persons, which the tribes, in conformity to the *Plautian* law, furnished annually by election to serve as JUDGES; and if we suppose (and surely there is reason to suppose) that the State had found it necessary or expedient (after taking the *Judicature* from the numerous body of the *Knights*) to provide so large a number as the *Plautian* law prescribed, of qualified persons, out of which to chuse the JUDGES, this will account both for *Sylla's* adding so many members at once to the Senate, and for the provision he made to keep the number always complete; and it may perhaps be thought no weak reason for our fixing the due complement of the Senate at 525.

Y. R. 672.

Tacit. An.
xi. 22.Vell. Pat.
l. ii. c. 30.
Liv. Epit.
l. lxxxix.

And that the august assembly, thus augmented and *thus honoured with the* JUDICATURE, might thereafter have the contingent vacancies in their house regularly filled up with properly-qualified persons, he ordained, that, instead of only EIGHT Quæstors, as before, TWENTY should be annually created.

But, in order to raise and establish more effectually the authority of the SENATE, the DICTATOR almost totally annihilated that of the Tribunes,

By depriving them of the power of LEGISLATION^k;

^k Mr. Kennet says, that Sylla deprived the TRIBUNES, not only of the power of *making Laws*, but of *interposing* [intercession] of *holding assemblies* and *receiving appeals*; and for this he cites *Cic. de Lég. l. iii. Cæs. Comm. de Bell. Civ. Florus, Plutarch, &c.* I have not been able to find *all* this either in the authors named, or in *Æc.* We have *Cæsar's* authority for Sylla's leaving to the TRIBUNES the power of INTERCESSION. *Neque etiam extremi JURIS INTERCESSIONE retinendi, QUOD L. SYLLA RELIQUERAT, facultas tribuitur. Cæs. de Bell. Civ. l. i. c. 5.* And we have, seemingly, *Cicero's* authority for Sylla's leaving to the TRIBUNES the power of *receiving appeals*: unless by *potestatem auxilii ferendi* he means no more than the power of preventing oppressive laws, by their *Veto*. *Quamobrem in ista quidem re vehementer Syllam probo, qui TRIBUNIS PLEB. suâ lege injuriæ faciendæ POTESTATEM ademerit, AUXILII FERENDI RELIQUERIT. Cic. de Leg. iii. 9.*

M. Crevier (upon what authority I know not) writes, that, by one of Sylla's ordinances, the TRIBUNES were to be always elected out of the body of the SENATE: To Appian, it was not clear that Sylla made this regulation, though it afterwards prevailed. *ἐκ τῆς σαφῶς σίτην &c. nec constat an eam [Tribunitiam dignitatem] ut nunc est, a Plebe ad Senatum transfulerit. App. de Bell. Civ. p. 413.*

And

And by decreeing, that no citizen, who had served in the office of TRIBUNE, should ever be capable of holding any superior dignity : a decree which would naturally hinder all persons, whose high birth, or extraordinary talents, might render them formidable to the Aristocratic faction, from seeking, or even coveting the *Tribuneship*.

Y. R. 672.
Bef. Chr.
84.
367 Conf.
App. de
Bell. Civ.
P. 413.

Not content with humbling the PEOPLE, by this diminution of the power of their TRIBUNES, the DICTATOR took from the *Tribes* the privilege, they had obtained by the *Domitian* law, of filling up, by their elections, the vacancies which happened in the several colleges of the PONTIFS, AUGURS, and GUARDIANS OF THE SIBYLLINE BOOKS ; and restored to these colleges the power of supplying their vacancies by CO-OPTATION : increasing, at the same time, the number of members in each college from TEN to FIFTEEN.

D. Hal. 1.
ii.
Dio, l.
xxxvii.

With regard to the CIVIL MAGISTRACY, the DICTATOR enacted, that, whereas certain intervals had been required by Law between the offices of ÆDILE and PRÆTOR, and of PRÆTOR and CONSUL, it should be permitted, for the future, to sue for the higher office immediately after having held the lower. No man, however, was to stand for the Prætorship, who had not been Quæstor ; nor for the Consulship, who had not been Prætor : and he revived the Law, which

App. de
Bell. Civ.
P. 413. 414.
Pigh. ann.

N. B. Whether this regulation was made by *Sylla*, or afterwards, it carries a proof, that the Quæstors did not always, by their office, become Senators, as Dr. *Middleton* will have it ; or that the Tribunes did not, in their way to the Tribuneship, always pass through the Quæstorship, for which the Doctor likewise contends.

Y.R. 672. forbade the conferring on any citizen a second Consulship, before ten years were elapsed from his holding that dignity P.

Pomp. de
Orig. Jur.

And, having first augmented the number of the PRÆTORS from SIX to EIGHT, he decreed, that, of these eight, six, at least, should continue at *Rome*, a whole year, to preside in the several courts of justice, and should, afterwards, have their provinces assigned them by lot.

Cic. Phil.
lip. 2.

And whereas it was the custom for the Prætors, when they entered on their office, to fix up an edict, declaring the method in which they would proceed in trying causes during their year; which method their successors (being under no obligation to observe it) did not observe, so that the forms of process were continually changing; *Sylla*, to remedy this inconvenience, ordained, that the PRÆTORS should always use one and the same method in their judicial proceedings.

Cic. in
Verr. 4.

And he farther decreed, that it should no longer be permitted to reject above three of the Judges appointed to sit upon a cause: and that in criminal causes the votes might be taken, either publicly, or privately, at the option of the person accused.

P This law had been often violated of late years, and if *Sylla* restored it at this time, he himself afterwards dispensed with it: For, the very next year, he caused himself to be elected Consul, though he had been in that magistracy but seven years before. *M. Crevier*, therefore, with reason, thinks it probable that the revival of this law was not till after the second Consulship of *Sylla*.

The ancient penalties for bribery and corruption in trials were revived, and such precautions taken, as would be most likely to recover the honour of the Senatorian Judges, who, formerly, when in possession of the Judicature, had not behaved themselves in a manner that did them much credit.

To these regulations concerning the SENATE, the PRIESTS, and the MAGISTRATES OF THE CITY, the DICTATOR added others relating to the GOVERNORS OF THE PROVINCES. He decreed, that no governor should lead his army out of his province, or himself leave the province, without an order from the *Roman* People, or Senate.

That whoever was sent with any command into a province, should hold that command till he was expressly recalled; whereas, before, the office of a commander continued no longer than a set time, upon the expiration of which, if no successor came, he was put to the trouble and inconvenience of getting a new commission from the Senate.

Nor was any commander to remain, after the arrival of his successor, more than thirty days in his province.

Nor, at his departure from it, to exact from the inhabitants a greater sum than was allowed by the laws.

The reformation of the morals of private men had likewise some share of the DICTATOR's attention.

¹ We are told, that he laid a restraint upon the disposition to make expensive entertainments; but that he did this,

Y. R. 672.
Bef. Chr.
80.
371 Conf.

Cic. Ep. 9.
ad Lentul.
& ad Attic.
Ep. 6. l. iii.

Cic. Ep.
Fam. 6. l. iii.

Y.R. 672.

Cic. pro
Cluent.

Ever since the times of the civil wars, when licentiousness universally prevailed, the crimes of perjury, forgery, robbery, rape, poisoning, and assassination, had been very common. He undertook to check the farther progress of these evils, by enforcing the penalties, which the ancient laws had denounced against the guilty, and by making the sanctions even more severe: Only, with regard to assassins, an exception was made in favour of those who had killed any of the *proscribed*.

As to the rest of the *proscribed*, who, by flight, had escaped being murdered, he made a law, that, wherever they were found, they should be put to death as enemies of the Republic; and that all who had concealed them, should be subject to the same penalty: That their estates should be sold by auction, and their children should be for ever incapable of holding any magistracy: but that such persons as had embraced his party in the late troubles should have the privilege of bearing honours before they were, legally, capable by age.

Cic. pro
Rosc. Am.Plin. l. vii.
Quintil. l.xl. c. 1.
Cic. in Pis.

At the public sale of some of the confiscated estates he himself presided, calling them *spoils*, as if they had been taken from a foreign enemy: and the estates, which he gave away, he bestowed in so despotic and haughty a manner, as by this to give more offence, than even by the violence with which he had seized them. He chiefly, with a view to lower the price of provisions: That he likewise made a law to repress the prevailing folly of making costly and pompous funerals. *Macrob. Sat. l. iii. Cic. Verr. 3. Plin. l. xxxiii. A. Gell. l. ii. c. 24.*

made

made presents of the revenues of a whole city, a whole province, to women, to musicians, to players, and to the most worthless freedmen ¹.

Y. R. 672.

Cic. de
Off. xi. 8.
Plut.

But the Dictator did not confine his bounties to that sort of people; he extended them to his most illustrious partizans, and particularly to the gold-thirsty *Crassus* ².

Notwithstanding the low ³ price at which the estates of many persons were sold, near two millions sterling, arising from the confiscations, came into the public treasury.

¹ *Cicero*, in his oration for the poet *Archias*, mentions one of *Sylla's* presents made in pleantry. When the Dictator was presiding at the sales, a bad poet presented him with an epigram, which had no other resemblance to poetry, than that every line was longer or shorter than the line which stood next to it. To reward his zeal, *Sylla* gave him something of what was then exposed to sale, but upon express condition, that he should make no more verses.

² We are told, that, for the sake of seizing upon the fortune of a very rich man, *Crassus* ventured, of his own private authority, to proscribe him; and that this so highly displeased *Sylla*, that he never after gave him any employment. *Plut. in Crass.*

³ The estate of *Sextus Roscius*, worth about 60,000 l. was sold for less than 70 l. to *Chrysogonus*, a favourite freedman of *Sylla*.

This *Roscius*, one of the most considerable citizens of *America* (now *Amelia* in the dutchy of *Spoletto*), was assassinated in *Rome*; and, though it was several months after the cessation of *proscriptions*, his name, in order to screen the murderers, was foisted into the list of the proscribed, by the contrivance of *Chrysogonus*; who, for the trifling sum above-mentioned, got the estate of the deceased adjudged to him: and, the more effectually to secure his possession of it, he engaged *Sylla* to direct a prosecution against the son of *Roscius*, as the murderer of his father [*Plut. in Syll.*], "and had provided evidence to

While

Y. R. 672.

Bef. Chr.

80.

171 Conf.

While Sylla was thus employed in new-mo-
delling the State, the war went on abroad against

“convict him; so that the young man was like to be deprived,
“not only of his fortune, but, by a more villainous cruelty,
“of his honour also, and his life. All the old advocates re-
“fused to defend him, fearing the power of the prosecutor,
“and the resentment of Sylla [*Cic. pro Rosc. Amer.* 10, 11.];
“since Roscius’s defence would necessarily lead them into many
“complaints on the times and the oppressions of the great: but
“Cicero (who was then but in his twenty-seventh year) readily
“undertook it. The popularity of his cause, and the favour
“of the audience, gave him such spirits, that he exposed the
“insolence and villainy of the favourite *Chrysogonus* with great
“gaiety; and ventured even to mingle several bold strokes at
“Sylla himself; which he took care to palliate, by observing,
“that, through the multiplicity of Sylla’s affairs, who reigned
“as absolute on earth as Jupiter did in heaven, it was not
“possible for him to know, and necessary even to connive at many
“things, which his favourites did against his will [*pro Rosc.*
“45.]. He would not complain, he says, in times like those, that
“an innocent man’s estate was exposed to public sale; for, were
“it allowed to him to speak freely on that head, Roscius was
“not a person of such consequence, that he should make a particular
“complaint on his account; but he must insist upon it, that by the
“law of the proscription itself, whether it was Flaccus’s the
“*Inter-rex*, or Sylla’s the *Dictator*, for he knew not which to
“call it, Roscius’s estate was not forfeited, nor liable to be sold
“[*ib.* 43.]. In the conclusion, he puts the Judges in mind,
“that nothing was so much aimed at by the prosecutors in this
“trial, as, by the condemnation of Roscius, to gain a precedent for
“destroying the children of the proscribed: he conjures them there-
“fore by all the Gods, not to be the authors of reviving a se-
“cond proscription, more barbarous and cruel than the first: that
“the Senate refused to bear any part in the first, lest it should be
“thought to be authorized by the public council: that it was their
“business, by this sentence, to put a stop to that spirit of cruelty,
“which then possessed the city, so pernicious to the Republic, and
“so contrary to the character and temper of their ancestors—
“Roscius was acquitted, to the great honour of Cicero.” See
Midd. Life of Cicero, Vol. I. p. 37—40.

the

the remains of the *Marian* faction, in all parts whithersoever any of them had fled ^t.

Y. R. 672.

Bef. Chr.

80.

371 Conf.

In *Italy*, *Nola* and *Volaterræ* made a brave defence for two years, but were at length reduced and levelled with the ground.

When *Pompey* had established the peace of *Sicily*, he received orders to go into *Africa*, where *Domitius Ænobarbus*, *Cinna's* son-in-law, supported by *Hiarbas*, king of one part of *Numidia*, was assembling forces. *Pompey* left the island with six legions, 120 ships of war and 800 transports, loaded with all kind of stores. Part of the fleet anchored at *Utica*, the rest at *Carthage*.

Plut. in

Pomp.

His march was retarded a few days by a ridiculous adventure. Some soldiers having found a treasure in the field, where the camp was pitched, the whole army became at once confidently persuaded, that the field was full of gold and silver, hid under ground by the *Carthaginians* in the time of their calamities. Instantly every man furnished himself with a pick-ax, and to digging they went. *Pompey*, not being able to divert them from their pursuit, only laughed at the sight of so many thousand men turning up the earth to so little purpose. Weary at length of their fruitless labour, they signified to their general, that they had been justly punished for their credulity, and were ready to march whithersoever he pleased to lead them. A battle ensued; victory

^t *Norbanus* (the colleague of *Scipio* in the Consulship, year of *Rome*, 670), who had taken refuge in *Rhodes*, upon the first news of a demand from *Sylla* to deliver him up, killed himself in the Forum of the city.

declared

Y. R. 672.

Bef. Chr.

80.

371 Conf.

declared for *Pompey*, whereupon his soldiers proclaimed him *Imperator*. He declined the honour, which, he said, he could not deserve, so long as the enemy's camp subsisted. Hereupon they instantly marched to attack it, though the day was far spent. *Pompey*, in the heat of the late battle, not giving a ready answer to one of his soldiers who asked him the word, had like to have been killed by him; for which reason, he fought in the present action bare-headed. *Domitius* was killed, and his camp taken: Of 20,000 men, whereof his army had consisted, scarce 3,000 escaped. The whole country presently submitted, and *Pompey* entered *Numidia*: *Hiarbas* being killed, or taken prisoner, his dominions were given to *Hiempsal*, king of another part of *Numidia*. This expedition, so successful and glorious for *Pompey*, being finished in forty days, he straight returned to *Utica*.

On his arrival there, he received orders from *Sylla* to send back his whole army, except one legion, with which he was to remain in the province till a successor came. *Pompey*, though much displeased with these orders, resolved to obey. His troops were not of that mind: They mutinied openly, and declared they would not suffer him to put himself defenceless into the hands of the Dictator, whom they made no scruple to call a tyrant. *Pompey* did all he could to appease them, but, notwithstanding his intreaties, and even tears, they replaced him several times upon his tribunal, nor could he quiet them till he had protested, that,

that, if they did not cease their violence, he would instantly kill himself.

Y. R. 672.

Bef. Chr.

80.

371 Conf.

This commotion, in the first accounts brought of it to *Rome*, was related so imperfectly, that *Sylla* imputed it to *Pompey*, and, on that occasion, said, *it was his destiny to be obliged in his old age to make war with children*, meaning the younger *Marius* and *Pompey*. But when the matter came to be cleared up, and the public had declared in favour of the young conqueror, the Dictator resolved to do him all kinds of honour; and, accordingly, went out to meet him on his arrival at *Rome*, and saluted him by the title of THE GREAT^u. Nevertheless, when *Pompey* demanded a triumph, the Dictator refused it, representing to him, "That, by law, no one could have that honour, who had not been Consul or Prætor: For which reason, it had not been granted to the first *Scipio Africanus*, who had done very great things in *Spain*: that if a man, too young to have even a place in the Senate, should be allowed to triumph, it would render odious, not only him, who, contrary to Law, received that honour, but the supreme magistrate who granted it." And he concluded with expressly declaring to him, that he would not suffer him to triumph. *Pompey*, in answer, desired him to consider, that the rising sun had

MAGNE.
Plut.

^u According to *Plutarch*, this was the origin of that surname given to *Pompey*. But *Livy* (l. xxx. in fine) makes it owing to the flattery of his friends. Be that as it will, he did not himself assume the title till some years after, when he made war against *Sertorius* in *Spain*. Plut.

Y. R. 672.

more worshippers than the *setting sun*. *Sylla* did not hear these words, but, observing an air of astonishment upon every face, he asked the meaning of it. Then somebody repeated what *Pompey* had said: and the Dictator, struck with the boldness of the expression, instantly cried out, *Let him triumph, let him triumph*.

Accordingly, the young general, not even a Senator, a *Roman Knight* only, had a *triumph** for his victories over *Hiarbas* and the *Numidians*: and the people were highly delighted to see him, after he had received that honour, continue still in the *Equestrian* rank.

Y. R. 673.

Bef. Chr.

79.

372 Conf.

Sylla, though he retained the *Dictatorship*, did not chuse to abolish the *Consulship*. At the usual time for electing Consuls, he caused himself, together with *Q. Cæcilius Metellus Pius*, to be named to that magistracy. The Dictator had a particular kindness for *Metellus Pius*†, as being the first *Roman* general, who, with an army, had joined him.

* We are told, that *Pompey's* soldiers, not being content with the money he had distributed among them, threatened to interrupt the ceremony of his triumphal procession; and that he declared, he would rather renounce his *Triumph*, than humour them; which made *Servilius*, an eminent Senator, say of him, that he now deserved the honour, and was truly GREAT. *Plut.*

† *Metellus Numidicus*, the father of *Pius*, had been banished by *Saturninus*, and restored by the Tribune *Calidius*. This *Calidius*, standing for the *Prætorship*, *Metellus Pius* not only solicited the people for him, in the most pressing manner, but, though actually Consul, and of the first class of the Nobles, condescended to stile *Calidius* his patron, and the protector of his family. *Cic. pro Planc.*

Though

Chap. i. *The Roman History.*

Though *Sylla*, by the methods which have been related, had secured to his interest the principal Nobles, and indeed the whole Senate, he would not neglect to make himself creatures, even among the lowest order. Of the slaves belonging to the *proscribed* he enfranchised 10,000 young men; who all became *Roman* citizens, and, from the name of their patron *Cornelius*, were (according to custom) called *Cornelians*. But the most powerful support, which he provided for himself and his party, were the military colonies which he distributed throughout all *Italy*. Having confiscated the lands of a great number of municipal cities, which had favoured his enemies, he divided those lands amongst the officers and soldiers of three and twenty legions. These amounted to above 100,000 fighting men, who, owing their fortunes and establishment to his decrees, would, of course, be ever ready to support both him and them.

By all these murders, proscriptions, confiscations, grants, laws, and regulations, *Sylla* became able, with safety, to abdicate the Dictatorship, and return to a private life; which he did soon after. His first step towards the execution of this design, was a refusal of the people's offer to continue him in the Consulship. He caused his old friend, *P. Servilius Vatia* (afterwards surnamed *Isauricus*), and *App. Claudius Pulcher*, to be elected Consuls.

And now, to the great astonishment of the public, *Sylla*, in the highest fortune to which any mortal had ever attained, and in possession of the

337
Y. R. 673.
Bef. Chr.
79.
372 Conf.

Y. R. 674.
Bef. Chr.
78.
373 Conf.

The Roman History. Book VIII.

Y. R. 474.
Bef. Chr.
78. r
373 Conf.

most extensive despotism, resigned, of his own mere motion, and without the least compulsion from any quarter, the reins of government to the new Consuls, and retired from public life ^z.

Appian.

The ceremony of his abdication passed in the calmest manner possible. He came to the Forum with his lictors and guards, mounted the Rostra, and, from thence, declared to the people assembled, that *he abdicated the Dictatorship, and was ready to give an account of his administration to any person who should require it of him*. He then came down, dismissed his lictors and guards, and, accompanied only with a small number of his friends, walked serenely up and down the Forum, every body struck with amazement, and scarce believing the testimony of their own eyes ^a. He

^z We are told, that *Sylla* was the last of the *Roman* generals, who removed the bounds, and enlarged the circumference of the city. This was an honour and privilege permitted to those only, who, by their exploits, had extended the empire of the Republic. *Tacit. xii. 23. Sen. de Benef. v. 16.*

^a *Sylla*, after his abdication, made an offering of a tenth part of his effects to *Hercules*. On this occasion, he feasted the people during several days; and such profusion there was in his banquets, that, every day, a great quantity of provisions was thrown into the *Tiber*. During this feast, his wife *Metella* fell dangerously sick. Religious rejoicings were not to be profaned by any melancholy circumstances of death, or mourning. *Sylla*, therefore, exemplarily religious, did, by order of the Pontifices, send her a bill of divorce, and cause her to be carried, while yet living, into another house. In this particular he was a strict observer of the law; but, at his wife's funeral, he violated a law, which he himself had made, to limit the expence of funerals, as he did likewise that which he had enacted against too expensive entertainments. To con-

received

received no affront, no mark of disrespect, but from one young man: This youth not only attacked him with injurious language, while in the Forum; but, with repeated insults and reproaches, followed him quite to his house. *Sylla* seemed undisturbed; he only said, as he entered the door, *The behaviour of this young fellow will hinder any man, who may hereafter be in the station which I have held, from ever entertaining the thoughts of quitting it.*

Sylla, when he abdicated his sovereign power, did not renounce all attention to public affairs; he endeavoured to hinder *Lepidus* from being chosen Consul for the ensuing year, but failed of success; because *Pompey*, with his whole credit, supported the candidate. Observing, that *Pom-*

Y. R. 674.
Bef. Chr.
78.
373 Conf:

Plut. in
Sylla &
Pomp:

sole himself for his loss, he passed his days in luxurious feasting and debauchery. Some months after, he entertained the public with a show of gladiators; and as, on those days, men and women sat promiscuously together, *Valeria* (the daughter of *Messala*, and sister of *Hortensius*, the famous orator), who had been, a few days before, divorced from her husband, happened to sit near *Sylla*; she was beautiful, gay, and lively, but virtuous, and of an unblemished reputation. She came behind him, and, resting her hand gently upon his shoulder, took away a thread of his robe, and then returned to her seat. He, turning about, looked as if surprized at her familiarity; whereupon *Valeria* accosted him thus, "It was not out of any want of respect, but from a desire to partake of your good fortune." [*Vid. supra*, p. 320.] *Sylla* was not displeased with this answer, and they immediately made love to each other by their eyes, and, in a short time after, he married her. His marriage, however, with the beautiful *Valeria*, did not prove a charm sufficient to restrain him from an infamous commerce with actresses and singing-women.

Y. R. 674.
Bef. Chr.
78.
373 Conf.

pey was much elated with this victory, he said to him, *You have great reason, indeed, to triumph; it is a glorious exploit to have caused Lepidus, the most seditious of men, to be named to the Consulship, and even before Catulus, the most virtuous citizen of Rome. Be upon your guard, however; for you have been arming an enemy against yourself.*

Y. R. 675.
Bef. Chr.
77.
374 Conf.

The next year, when *M. Æmilius Lepidus* and *Q. Lutatius Catulus* had the Consular Fasces, was the last of *Sylla's* life.

Appian.
Plut.

He had retired to his country-house at *Cuma*, where he abandoned himself to pleasure. In the midst of his banquetings and debaucheries he was seized with an horrible distemper, called the *Lousy Disease*; his entrails were corrupted, and his flesh was full of vermin, the multitude and rapid propagation of which rendered fruitless all the pains, that could be taken to make him clean, by bathing and rubbing him, and continually changing his linen. In this miserable condition, to divert his thoughts as much as possible from it, he had recourse to business. Ten days before his death, being informed that the people of *Puteoli*, in his neighbourhood, were at variance among themselves, he drew them up a body of by-laws for their better government.

Appian.
Plut. in
Pom. &
Lucull.

He amused himself likewise with revising, or enlarging, his Commentaries, which are frequently quoted by *Plutarch*. About three days before he died he made his will, in which he remembered all his friends, except *Pompey*, to whom he left no legacy: nor did he name him among the guardians of his son, then an infant

almost

almost in the cradle ; but he expressed great affection for *Lucullus*, to whom he inscribed his Commentaries, and whom he appointed to be one of his son's guardians. And, it is said, that this gave birth to the misunderstanding between *Lucullus* and *Pompey*, which rose afterwards to a very great height.

A few days before his death he composed his own epitaph, wherein we may read, not only his true character, but a satisfactory answer to that question, *How could Sylla, after so many murders, and other violences, relinquish with safety his sovereign power?* The epitaph was in substance to this effect, that *no man had ever outdone him, either in obliging his friends, or in avenging himself on his enemies.*

Some think, that *Sylla's* *abdicating the Dictatorship* infallibly proved, that *ambition* was not his predominant passion ^a, and that he had seized the sovereign power only to make sure of his *revenge*. This vindictive spirit continued with him to the last, as appears by his treatment of *Granius*, the chief Magistrate of *Puteoli*. A certain tax had been imposed on all the cities for the reparation of the Capitol. *Granius* had received the contributions of his fellow-citizens, but deferred paying in the money, imagining he should be able to retain it for his own use, in case *Sylla*

Y. R. 675.
Bef. Chr.
77.
374 Conf.

Plut. in
Sylla.

^a Others are of opinion, that this is no proof of moderation in the ambition of *Sylla* ; but rather of his good sense and prudence, being aware that he had made some of his creatures (*Pompey* in particular) too powerful to remain subject to his despotism.

Y. R. 675.
Bef. Chr.

77.
374 Conf.

Appian.
Plut. in
Sylla &
Pomp.

died soon. *Sylla*, informed of this, and enraged at the insolence of a man who built hopes upon the prospect of his speedy death, sent for him, and caused him to be strangled in his presence. The anger and violent agitation he was in, on this occasion, broke an imposthume within him: He threw up a vast quantity of black and corrupted blood, and died the night following through extremity of pain, having concluded all the acts of his life with a stroke of dear revenge.

Such was the end of the famous *Cornelius Sylla*. The Consuls had a warm dispute about his funeral. *Lepidus* was for having him privately interred in the burying-place of his ancestors; but *Catulus*, supported by *Pompey*, prevailed to have his body carried in great pomp ^b through

^b From his house at *Cumæ*, where he died, his body dressed in a triumphal robe, was carried to *Rome* upon a bed of state, glittering with gold; four and twenty Lictors walked before it with the rods and axes. Of those persons who had served under him, and had partaken of his favours, so great a number came to pay their last duties to their general, that they formed rather the appearance of an army, than that of a funeral procession. In the ceremony of his obsequies, the colleges of the priests, and the Vestals surrounded the corpse; then marched the Senate, with the Magistrates habited in the robes of their respective dignities: after these came the *Roman* Knights; and the troops, with their golden eagles and arms resplendent with silver, closed the march; the trumpets all the way sounding mournful airs.

When they came to the Forum, they stopped; and there (*Sylla's* son *Faustus* being too young for the office) the best orator of *Rome* (who is not named) made the funeral panegyric: after which (if we may believe *Appian*, whom *M. Crevier* thinks undeserving of credit in this instance) some of the most vigorous of the younger Senators took the body

the

the streets of *Rome*, and burnt in the *Campus Martius*; *Sylla* being the first of the Patrician branch of the *Cornelian* family, whose corpse was not interred. It was feared that his bones might one day be treated as he had treated those of *Marius*, which he had caused to be dug up, and thrown into the river. The tomb, in which the ashes of *Sylla* were deposited, was in *Plutarch's* time still to be seen in the *Campus Martius*, with that epitaph upon it which has been before mentioned.

Y. R. 675.
Bef. Chr.

77.
374 Conf.

CHAP. II.

LEPIDUS attempts, unsuccessfully, an imitation of SYLLA. In 676, POMPEY is sent into Spain against SERTORIUS.

THE dangerous example of a private Citizen, who had found means to raise himself to sovereignty, and maintain himself in it, made those who came after him sensible that the *Romans* could bear a master; a discovery which

upon their shoulders, and carried it to the *Campus Martius*, where the funeral pile was erected. The ladies signalized their respect for the deceased, by an almost incredible quantity of aromatic spices, furnished at their expence, to be consumed on this occasion. For beside 210 great baskets of perfumes, they had caused a statue of *Sylla* to be made to the life, and another of a Lictor bearing the Fasces before him, and both of cinnamon and other precious aromatics.

[Need we any other proof of the perfect security with which *Sylla* could retire from public life, when we find he had thus gained the hearts of the *Roman* ladies?] The Knights and principal officers of the troops set fire to the pile.

Y. R. 675.
Bef. Chr.

77.
374 Conf.

proved the source of more revolutions. SCARCE were the eyes of *Sylla* closed, when *Lepidus* formed the project of ascending to the same height of power.

We have frequently seen, in the course of this History, that the great men of *Rome*, to promote the views of their ambition, had made use of one of these two pretences, the interest of the PEOPLE, or that of the SENATE. *Lepidus* had indeed, to accommodate himself to the circumstances of things at that time, declared for the SENATE: But as his colleague *Catulus*, *Pompey*, *Metellus* and *Crassus*, all men of more weight and interest than himself, were the chiefs of that faction, he thought he should make a more considerable figure, if he espoused the *Marian* cause; most of whose champions had been destroyed in the civil war. To give new life to this faction, at this time almost extinguished, he proposed to abolish some of the Laws made by *Sylla*. *Catulus*, the other Consul, opposed his design with a steady courage and resolution. Hereupon the two factions ranged themselves under their respective leaders. *Lepidus* had gained the populace. He raised forces in *Hetruria*, where the remains of *Marius's* faction had made a brave defence during two years. He drew together all the proscribed who had escaped death: and when his partizans were sufficiently numerous to form an army, he took off the mask, and put himself at their head.

As his strength was not yet considerable, *Catulus* was of opinion, that he should be pushed to the utmost; but the majority of the SENATE inclined

inclined to gentler measures, and to negotiation; they sent deputies to *Lepidus*, and an accommodation was concluded; the principal conditions were, that the two Consuls should take an oath not to employ arms against each other, and that *Lepidus* should have the government of *Gallia Narbonensis*, with the command of an army.

This army he led into the Province assigned him, and there remained till the year of his Consulship was expired, without returning to *Rome* to hold the Assembly for electing new Consuls, which it was his function to do. We are told, that he thought his oath obliged him no longer than the year of his office; at the expiration of which he should be at liberty to employ, against his adversaries, those forces which they had imprudently put into his hands. The year expiring without the election of new magistrates, an interregnum ensued: And *Lepidus*, leaving in *Gallia Cisalpine*, a body of troops under *M. Brutus*, to keep that country in his interest, advanced with the greater part of his forces to demand at *Rome* a second Consulship.

Among the fragments of *Sallust* there is an harangue, spoken on this occasion, by the orator *Philippus*. He reproached the Senators with

“ When you entered into a treaty with *Lepidus*, he was
“ only a thief, supported by a small number of cut-throats, al-
“ ways ready to risque their blood and their life for bread;
“ he is now a *Proconsul* invested with a command, which he
“ did not buy, but which you gave him. From all quarters
“ he has gathered about him the most corrupt in the different
“ orders, men whose indigence and vices made them capable
their

Y. R. 675.
Bef. Chr.

77.
374 Conf.

Y.R. 675.
Bef. Chr.

77.
374 Conf.

their indolence, whereby they had given a seditious man an opportunity of *making himself formidable*: and he concluded his speech in the following manner—"As *Lepidus* is marching with
" an army against the City, and has associated
" himself with the vile enemies of the Republic,
" in contempt of the authority of this Assembly,

" of daring any thing, and who, tormented with the remembrance of their past crimes, can find no repose but in seditions; to them peace is a state of violence. These are the
" men who make insurrection succeed to insurrection, and civil war to civil war; adherents formerly to *Saturninus*, then to
" *Sulpicius*, afterwards to *Marius* and *Damasppeus*, and lastly
" to *Lepidus*.—Are you moved by his proposals? he demands,
" that to every man should be restored what appertains to
" him, and is himself rich only by possessing the fortunes of
" others. He is for having the Laws, founded upon the rights
" of war, abolished, and to this he would reduce us by force of
" arms: For the sake of peace and concord he would have you
" re-establish the *Tribunitian* power, from which all our civil
" dissensions arose."

The orator then apostrophizing *Lepidus* as if present—"O thou the most vile and impudent of mankind, will you persuade
" us that you are moved by the indigence and tears of the
" Citizens, whilst you possess nothing that you have not acquired by arms or injustice? You ask a second Consulship,
" as if you had resigned the first to the Commonwealth. You
" desire to restore union and concord, you, who are the only
" disturber of it. Traitor to the Nobles, whom you ought to
" defend; perfidious even to those whose interest you pretend to support; an enemy to all persons of worth; void of
" respect both to Gods and men, whom you have made equally
" your adversaries, by your perfidies and perjury. Go on
" then, persist in thy enterprize. The Laws, the Gods of
" our country raise their voice against thee, and cannot suffer
" thee in the number of our Fellow-citizens. Continue what
" thou hast begun, that thou mayest quickly feel the just punishment thou hast deserved."

I am

" I am of opinion, that *App. Claudius*, now Inter-
 " *rex*, with *Q. Catulus* the *Proconsul*, and the rest
 " who are in command, should defend the City,
 " and take care the *Commonwealth* suffer no detri-
 ment."

Y. R. 675.
 Bef. Chr.
 77.
 374 Conf.

The Senate made a decree conformable to the opinion of *Philippus*, whereby they gave an almost unlimited power to those whom they appointed to withstand the enterprizes of *Lepidus*. And whereas *Catulus* excelled more in civil virtues than in military skill, they with him associated *Pompey*, who, though he had contributed to raise *Lepidus* to the Consulship, did not decline the present commission. A battle was fought under the walls of *Rome*, near the bridge *Milvius*. *Lepidus*, being defeated, retired into *Hetruria*, and was immediately declared an enemy to his country: *Catulus* marched in pursuit of him, whilst *Pompey* went into *Cisalpine Gaul*, which, as was before mentioned, *M. Brutus* held for *Lepidus*.

In the election of new Consuls, which was probably made about this time, the People's choice fell upon *Decimus Brutus* and *Mamercus Æmilius* ^d.

Y. R. 676.
 Bef. Chr.
 76.
 375 Conf.

Pompey, without difficulty, brought *Cisalpine Gaul* to obedience; only he was stopt a considerable time before *Modena*, which *Marcus Brutus*

^d *Æmilius* was very rich, but very frugal; and, to spare himself the expence of the games, which was indeed excessive, he had declined the office of *ÆDILE*. The People remembered this, and, the first time he stood for the Consulship, rejected him; and were now very far from being unanimous for his promotion.

Y. R. 676.
 Bef. Chr.
 76.
 375 Conf.

Plut. in
 Brut.

defended against him: but *Brutus*, at length, surrendered himself *voluntarily*, (so *Pompey* wrote to the Senate) nevertheless the victor, having sent his prisoner under a guard to *Reggio*, dispatched thither an officer, named *Geminus*, to kill him: And then, in a second letter to the Senate, changed his style and calumniated *Brutus*. This was the father of the famous *Marcus Brutus*, who never forgave *Pompey*, till he was engaged to it by a regard to [what he called] the *public interest*.

Catulus, having driven *Lepidus* into a corner of *Hetruria*, reduced him to the necessity of fighting; and *Pompey* arriving opportunely from *Cisalpine Gaul*, determined the victory in favour of the Consul. *Lepidus*, with what remained of his troops, escaped into *Sardinia*. He had no success, the Prætor *Triarius* prevented his seizing any place. A domestic grief completed his distress. He learnt that his wife *Apuleia* was false to him. He divorced her; but, as he continued to love her, grief and vexation threw him into a disorder, of which he died. *Perperna* drew together the wreck of the army, and went with it into *Spain*; where *Sertorius* supported the remains of *Marius's* faction,

Plut. in
 Pomp.
 Plin. vii.
 46.

Thus ended the commotions raised by *Lepidus*. The SENATE, contented with having re-established peace, granted an amnesty to those who had been concerned in the last disturbances; and their decree was supported by a decree of the PEOPLE, of which *Cæsar* was considered as the author: not only the general interest

terest of the *Marian* faction, which he favoured, might induce him to this, but the private interest of his brother-in-law, *L. Cinna*, who had been engaged in the cause of *Lepidus*, and who obtained, by this amnesty, leave to return to *Rome*. The *SENATE*'s view, in their lenity on the present occasion, was to hinder the fugitives from going (through despair) to augment the forces of *Sertorius*, already too formidable.

Y. R. 676.

Bef. Chr.

76.

375 Conf.

Suet. in

Cæs. 5.

Against this general, under whose command were gathered all that now remained of *Marius*'s faction, *Metellus Pius* conducted the war in *Spain*, with little success; for he was naturally slow in his motions, and by no means a match for *Sertorius* in military skill. His high birth, and his reputation of eminent virtue, secured him from the affront of being recalled; but it was thought expedient to send him a colleague to be his assistant. *Pompey*, ambitious of the employment, had, for this reason, under various pretexts, kept his troops together at a small distance from *Rome*, though *Catulus* had ordered him to dismiss them. The Senate, having more confidence in the abilities of *Pompey*, than of any other of their generals, determined to send him into *Spain* with the title of Proconsul, notwithstanding the objection made by some of the Senators, That it would be a strange thing to see a Citizen, and of no higher rank than that of a *Roman Knight*, invested with *Proconsular* authority^d.

^d To this objection *L. Philippus* is reported to have answered: *In my opinion, it is not to supply the place of one Consul, but of both Consuls, that Pompey ought to be sent into*

C H A P. III.

The War of SERTORIUS in Spain.

Y. R. 676.

Vid. supra,
p. 302.

IT has been already mentioned, that, after *Sylla* had, by his wonted arts of corruption, gained over to him the army of the Consul *Scipio*, *Sertorius* retired into *Spain*; which province had fallen to him by lot, after his Prætorship. He found the passes of the *Pyrenees* in the possession of the Barbarians, whom only money could render tractable. Some of his officers thought it would be disgraceful for a *Roman* Proconsul to pay a kind of toll to the mountaineers for leave to pass: but *Sertorius* laughed at this unseasonable delicacy, telling them he should never make a scruple to buy *TIME*, which of all things is the most precious to those who have engaged in important enterprizes. He purchased his pas-

Spain. L. Philippus dixisse dicitur, non se illum, suâ sententiâ, pro Consule, sed pro Consulibus mittere. Cic. pro Lege Manil. lxii.

^c According to *Vell. Pat.* l. ii. c. xxv. *Sertorius*, after the army had abandoned the Consul *Scipio*, under whom he served, fell into *Sylla's* hands, who dismissed him with life; as he did *Scipio*, and many others.—*Consulem, ut prædiximus, exarmatumque Sertorium (pro quanti mox belli facem!) & multos alios, potius eorum, dimisit incolumes.* But *Plutarch* speaks of *Sertorius*, as immediately retiring to his government of *Spain*, upon *Scipio's* refusing to listen to his advice, when he warned him to be upon his guard against the wiles of *Sylla*, who pretended to be desirous of peace.

page,

sage, entered *Spain*, armed with all expedition what *Romans* he found there (of an age to serve), and provided himself with engines of war, and with *triremes* [gallies of three benches of oars.]

Y. R. 676.
Bef. Chr.
76.
375 Conf.

The oppressive rapaciousness of the last Prætors had created in the minds of the *Spaniards* an aversion to the *Roman* government. *Sertorius* spared no pains to conciliate their good-will; he gained the principal persons of the several Cantons by his affability and kindness, and the multitude by lessening the taxes: But what more particularly obliged the *Spaniards* was, that, instead of taking up his quarters within the cities, he erected tents without the walls of them, and there made his whole army pass the winter.

No sooner had *Sylla* possessed himself of the sovereign power, but he ordered *Annius* with an army into *Spain*. *Sertorius*, to hinder his entrance, shut up the passes of the *Pyrenees*, with 6000 foot, under the command of *Livius Salinator*. The assassination of *Livius*, by one *Calpurnius Lanarius*, opened the way to *Sylla's* general; and *Sertorius*, not being in a condition to keep the field against him, retired with 3000 men into *Carthagena*; where he staid no longer, than till he could get vessels, whereon to embark his troops. He cruised some time upon the coasts of *Spain* and *Africa*; and in vain attempted to make descents in different places. At length, having added a few small ships of *Cilician* pirates to his fleet, he passed the Streights, and landed a little

Y. R. 676.

Bef. Chr.

76.

375 Conf.

The Canaries.

Tangier.

little beyond the mouth of the *Bætis*, now called the *Guadalquivir*.

While he was there, some mariners, newly arrived from the *Atlantic* or *Fortunate Islands*, gave so charming a ^t description of them, as made him seriously entertain the thought of retiring thither, to pass the remainder of his life in an innocent tranquillity, far from the din of war and the horrors of tyranny. He proposed this to his followers; but the scheme was not suited to the disposition of pirates. They quitted him, and sailed to *Mauritania*, where, having found two parties at war with each other, they offered their assistance to one of them. *Sertorius*, apprehensive of being abandoned by his remaining friends and troops, passed thither likewise, and joined the other party, which he easily rendered victorious; and when, by the taking of *Tingis*, he was become master of the country, he did not deceive those who had reposed confidence in him, but, restoring all that belonged to them, accepted only of a reasonable recompence: and this enabled him to subsist for some time the small body of troops, that was then his sole support.

His thoughts were full of anxiety about the event of things, when he very opportunely received an embassy from the *Lusitanians*, earnestly inviting him to put himself at their head. This people still defended their liberty against the

^t ————— *Arva beata,*

Petamus arva, arvites & insulas,

&c. &c.

Hor. Epod. xvi.

Romans,

Chap. iii. *The Roman History.*

353

Romans, and finding themselves hard pressed at that time, had recourse to *Sertorius*, as to the only general that could protect them; so great a reputation had he acquired in *Spain*, during his short appearance there. Nor were they mistaken in their opinion of him. No captain of his time surpassed him in personal bravery, boldness of enterprize, and execution, nor equalled him in stratagem: On which account the *Spaniards* called him *Hannibal*. He understood likewise perfectly well, how to gain the confidence and affection of his soldiers, liberally rewarding merit, and punishing faults with reluctance. Naturally full of strength and agility, he preserved those advantages by temperate meals, a plain diet, and a perfect sobriety, and was able chearfully to support the fatigue of long watchings, long marches, and all those other hardships to which an enterprising warrior must unavoidably be exposed. He never drank to excess, even in his most vacant hours; if he had leisure, his diversion was hunting; which in time of war had its use, because he thereby acquired a perfect knowledge of the country.

Sertorius left *Africa* with 2600 men, whom he called *Romans*, and 700 *Africans* collected from different nations. The *Lusitanians* supplied him with 4000 light-armed foot and 700 horse. With these forces, he maintained the war against four *Roman* generals, who had under them 120,000 foot, 6000 horse, and 2000 bowmen and slingers. They were masters likewise of innumerable cities, whereas *Sertorius*, at his arrival, had scarce

Y. R. 676.
Bef. Chr.
76.
375 Conf.

App. de
Bell. C. 1.
i. p. 421.

Plut. in
Sert.

Y. R. 676.
Bef. Chr.
76.
375 Conf.

twenty, that recognized his authority. Of the Roman commanders who were sent against him, he vanquished *Cotta* in a sea-fight, routed *Tidius*, governor of *Hispania Batica*, in a battle, wherein he slew 2000 Romans, near the banks of the river *Bætis*. By his Quæstor he defeated *Domitius* and *Lucius*, and *Manilius*, Proconsul of the other province of *Spain*; and he cut in pieces the whole army of *Thoranius*, together with their leader, whom *Metellus* had detached against him. As for *Metellus* himself, he was at a loss what conduct to observe with an enemy, that avoided a general action, attacked him when he least expected it, then retreated with expedition, returned presently after to the charge, gave him no repose, nor any opportunity of making advantage of his superior strength. Without fighting, *Metellus* suffered all the evils that attend a defeat; and *Sertorius*, by flying, had all the advantages of those who pursue. He hindered his enemies from getting water, and harassed them in foraging: If they advanced, they found *Sertorius* in their way: if they halted any where, he presently attacked them: if they besieged a city, they were themselves, in a short time, besieged by famine. These things made the soldiers of *Metellus* weary of the war; and *Sertorius* having challenged him to single combat, and he declining it, they turned him into ridicule. To retrieve his credit with them, he laid siege to the ¹ city of the *Lacobriges*, an important enterprize, because *Serto-*

¹ This city was in the country now called *Old Castile*, on the North of the *Douro*.

nus received great assistance from that place. As there was but one well in the city, and the other waters, used by the inhabitants, were in the suburbs, and fell immediately into the possession of the besiegers, the conquest seemed easy. Fully persuaded, that it would be an affair but of two days, *Metellus* made his soldiers carry with them no more than five days provisions.

Sertorius, conjecturing his design and his hope, contrived to convey two thousand skins (*Borachias*) filled with water into the place. The considerable reward, he promised to each bearer of a skin, made the soldiers, both *Spaniards* and *Moors*, all competitors for the employment. They had orders to turn out of the town all the useless mouths, so soon as the water was delivered. *Metellus*, thus disappointed, and beginning to want provisions, detached 6000 men to collect what they could find in the adjacent country. *Sertorius* laid an ambush for them, surprised them in their return, killed a great number of them, and seized the convoy; so that *Metellus* was constrained disgracefully to raise the siege, and to call in to his aid *L. Manilius*, who commanded in *Gallia Narbonensis*. This general, with the three legions he had brought with him, was driven out of the field, and reduced, almost alone, to take refuge in * *Ilerda*. By this last victory *Sertorius* opened himself a way into *Gaul*, and he pushed on quite to the *Alps*; in the passes of which he posted guards to stop the troops that might be sent against him.

Y. R. 676.
Bef. Chr.
76.
375 Conf.

* Now Lerida.
Ep. Pomp.
ad Sen. l.
iii.
Hist. Salust.
Plut. in Sertor.

V. R. 676.

Bef. Chr.

76.

375 Conf.

These successes could not fail to make him much admired by the *Spaniards*; and to his real merit he added artifice, the better to secure their respect and confidence.

A milk-white hind, which had been given him soon after it was yeaned, he tamed so well, that it knew his voice, came to him when he called it, and followed him every where. He had no other view, at first, in caressing this animal, than to amuse himself; but, when he saw it so tractable, he conceived the design of making it useful to him. He gave out, that his hind was a present from *Diana*, and often revealed to him the most secret things. To gain the public belief of this, he used, when he had privately received intelligence of any of the enemies motions, to conceal the bearer of it, and feign that the hind had whispered it to him. The intelligence, pretended to be thus received, always proving true, the *Spaniards* regarded him as a favourite of the Gods, and hearkened to him, as to a man inspired: and, that he might profit the more by their zeal to serve him, he armed them after the *Roman* manner, taught them discipline, and made them sensible of the advantage of it.

But nothing contributed more towards his gaining the hearts of the principal men of the nation, than the care he took of the education of their children: for he drew together all those of the highest birth, and placed them in † *Osca*, a considerable city in those days; and he gave them masters to instruct them in the arts of the *Greeks* and *Romans*. The children were in reality hostages;

but

† Huesca
in Arra-
gon.

but his professed design, in this measure, was only to qualify them to hold employments in the government, so soon as their years would permit. Their parents with delight beheld them, in robes bordered with purple, walking regularly every day to the public schools: where *Sertorius* himself (who paid for their schooling) frequently examined into the progress they made; giving rewards to such as deserved well, with permission to wear, hanging at their breasts, the golden *Bulla*, the ornament worn by the children of the better sort at *Rome* ^a.

Y. R. 676.
Bef. Chr.
76.
375 Conf.

Sertorius, notwithstanding the extraordinary affection and respect which the *Spaniards* expressed for him, preserved to the *Romans* all the superiority to which they had been accustomed. Of the proscribed Senators who had retired to him, and of the principal persons among his other partisans, he had formed a Senate, consisting of three hundred: affirming, that this was the real *Roman* Senate, and that the other, at *Rome*, was only an assembly of *Sylla's* slaves. Out of his own Se-

App. &
Plut.

^a It was customary with the *Spaniards*, as with the *Gauls* and *Germans*, for every lord to have clients or vassals, who devoted their lives to his service, and took an oath not to survive him. Other chiefs had a small number of men, who adhered to them under these conditions; but as to *Sertorius*, his adherents of this kind were computed by thousands; and, we are told, that, after some engagement, wherein he had been defeated and was hard pressed by the enemy, the *Spaniards*, solely intent upon saving him, took him upon their shoulders, and, passing him from one to another, conveyed him within the city walls (near which they then were), not giving a thought to their own preservation, till they had seen him safe. *Plut. in Sert.*

Y. R. 676.
Bef. Chr.
76.
375 Conf.

nate he chose Quæstors, Lieutenants, and other commanders, imitating, as much as possible, the government of the Commonwealth. No *Spaniard* therefore had any command in his army; for he did not propose to strengthen the Barbarians against *Rome*, but to make use of their assistance to deliver her from the tyranny of the usurper. He is said to have been a most sincere lover of his country, and so passionately desirous of returning to it, that, frequently, when his affairs were most prosperous (*never* when in a declining state), he offered to lay down his arms, on condition he might be suffered to live, as a private subject, at home; declaring, that he should chuse rather to be the most obscure citizen of *Rome*, than, in banishment from thence, to command all the rest of the universe.

With a heart so truly *Roman*, *Sertorius* must, necessarily, be esteemed and beloved by the *Romans* who were in *Spain*: and of this we have a notable proof in the conduct of *Perperna's* soldiers. This general was very rich, and of noble birth, and had been Prætor of *Rome*; where he took up arms, with the Consul *Lepidus*, to reverse the acts of *Sylla*, and recall the proscribed *Marians*; and, after their defeat, he carried off the best part of their troops into *Sardinia*; and thence into *Spain*. Though embarked in the same cause with *Sertorius*, yet, being envious of his glory, he was very unwilling to contribute to its increase by joining him, wishing rather to usurp his power. And with fifty-three cohorts (about 25,000 men), which he had under his command, he did actually

continue

continue separate from him, till advice came that *Pompey* was ordered into *Spain*. His troops then declaring to him, that if he did not lead them to *Sertorius*, they would go without him, he, reluctantly, complied : but his bad disposition was, in the end, more detrimental to the common cause, than the strong reinforcement he brought with him was beneficial.

Plutarch, to shew the ability of *Sertorius*, relates two particulars of his conduct, before the arrival of *Pompey*.

The *Spaniards*, under his command, flushed with their successes, were for marching, at all events, to battle, impatient of their general's delays, who waited for a favourable opportunity. He at first endeavoured to dissuade them by mild remonstrances, but, finding that these had no effect, and that they were eagerly bent on fighting, he determined to let them receive from the enemy a lesson that might teach them prudence, and render them more tractable. The *Spaniards*, as he had foreseen, were worsted in the engagement, and would have been entirely cut to pieces, if, with great skill, he had not contrived their retreat.

Discouragement, as it usually happens, was just going to succeed to presumption, when *Sertorius*, to avert this evil, and to give the *Spanish* soldiers a just sense of the reasons of his conduct, made use of the following device. He caused to be placed in the midst of them two horses, the one lean and old, the other fat and full of vigour, and which had a tail abounding with fine long hairs. By the lean horse stood a strong robust

Y.R. 676.
Bef. Chr.
76.
375 Conf.

man; near the other a little puny fellow. Upon a signal given, these two men, who were each to pluck off all the hairs of his respective horse's tail, fell to work in the following manner: The strong man graspt the tail of his horse, and pulled with all his might, to bring all off at once. The weak man set himself to pluck off the hairs of his horse's tail one by one. Fatigue to himself, and much laughter from the spectators, were the only effects of the labour of the first: the other finished his enterprize in a reasonable time; not a single hair remained on the tail of his horse. *Sertorius* then broke silence; "You see, my good allies, how much more efficacious, than force, is perseverance. A numerous and potent army may, in separate parts, be overcome, though we can make no impression on it while it remains one undivided body. Perseverance can do any thing: Time destroys the mightiest powers, and shews itself the good ally of those who are not precipitate in their measures, but prudently wait the proper seasons for action."

Ep. Pomp.
ap. Fragm.
Sall. Hist.
l. iii.

Plut. in
Pomp. &
Sertor.

Pompey, in his way to *Spain*, finding the passes of the *Alps* shut up by the troops which *Sertorius* had posted there, made himself a new road over those mountains, and a more commodious one than that of *Hannibal*: After which, continuing his march through *Gallia Narbonensis*, he retook all the places possessed there by the enemy; then passed the *Pyrenees*, and filled all *Spain* with great expectation. Though young, many victories had made his name famous, and prepossessed the public in his favour; insomuch, that the fidelity

of

of those who had hitherto adhered to *Sertorius* began to waver. But, when the two generals came to blows, the success did not answer the public opinion: *Sertorius* re-established his interest with the *Spaniards*, and acquired new reputation, not only in *Spain*, but even at *Rome*.

While *Sertorius* was besieging *Laurona*^b, *Pompey* drew near in order to succour the place; and once imagining, that he had shut up the enemy between the city and his army, vainly boasted, that the *Lauronites* would have the satisfaction of seeing, from their walls, the besiegers besieged. *Sertorius*, when informed of this, only laughed, and said, he would teach *Sylla's* scholar, that a general ought to look more *behind* than *before* him: And, accordingly, by means of a body of 6000 men, which he had left in his camp, he kept *Pompey* in awe, who could not attack him, without exposing himself to be attacked, at the same time, both in front and rear. The young general, perceiving he had been too hasty in his boast, was mortified, ashamed, and perplexed: And, what completely disconcerted him, his foragers fell into an ambush laid for them by *Sertorius*; and a whole legion, that came to their aid, was itself surrounded, and perished, almost entirely, with its commander. The besieged, having now lost all hope of succour, surrendered at discretion. *Sertorius* spared the lives of the inhabitants, but burnt their city; not out of cruelty to them, but to cover with shame both *Pompey* and

Y. R. 676.
Bef. Chr.
76.
375 Conf.

Frontin.
xi. 4.
Plut. in
Sertor.

^b This city is thought not to have been far from *Valencia*.

Y. R. 676. his admirers, when it should be reported throughout *Spain*, that a city ^d, which he had undertaken to relieve, had been burnt before his eyes, and so near him, that he might, almost, have warmed himself by the fire that consumed it.

Thus ended this campaign: both armies went into winter-quarters. *Pompey* and *Metellus* passed the season under tents in the *Pyrenees*, and in the midst of numerous enemies, that harrassed them. *Sertorius*, accompanied by *Perperna*, retired into *Lusitania*.

Y. R. 677.
Bef. Chr.
75.
376 Conf.

* *Andalusia.*

It would seem, that, when the operations of war were renewed (in the Consulship of *Cn. Octavius* and *C. Scribonius Curio*), the two armies were each of them divided, so that *Hirtuleius*, the brave Quæstor of *Sertorius*, remained in *Bætica* *, to oppose *Metellus*; and *Sertorius* marched toward the country, now called the kingdom of *Valencia*, to make head against *Pompey*.

Orof. l. v.
23.
Frontin.
xi. 1. & 3.

Hirtuleius came to an engagement with *Metellus*, near the city *Italica* ^e, and the conflict proved very hot and bloody; both generals exposed their persons; *Metellus's* armour was pierced by a dart; *Hirtuleius* received a wound in his arm, and was at length constrained to

^d *Appian* reports, that, at the taking of *Laurena*, *Sertorius* being informed, that one of his soldiers had, in a brutal manner, abused a woman his prisoner, who, to revenge herself, had even torn out his eyes, he not only ordered the criminal to be executed; but, knowing that the whole cohort was infamous for these excesses, he put them all to death, without sparing one, though they were citizens of *Rome*. *Appian*, l. i. p. 419.

^e *Sevilla Veia* upon the *Guadalquivir*.

quit

quit the field, leaving 20,000 of his men upon the spot. The conqueror owed his victory to his able conduct, in not bringing his men to engage with their enemies till these, who had left their intrenchments at sun-rise, were quite spent with hunger and fatigue, having, without any refreshments, sustained all the heat of the day. Not long after, *Hirtuleius*, attempting, probably, to retrieve his honour, fell in battle, together with his brother. We are told, that *Sertorius*, with his own hand, killed the man who brought him the news of this great loss; for, as he was upon the point of giving battle, he feared, that the report, if spread at that critical time, would dishearten his soldiers. That his own courage was not abated, he well demonstrated, when *Pompey*, having defeated *Herennius* and *Perperna*, near *Valencia*, came in quest of him in the neighbourhood of *Sucro* ^f. Both commanders were desirous of coming to a battle before *Metellus*, who was marching from *Bætica*, should arrive; *Sertorius*, that he might have fewer enemies upon his hands; *Pompey*, that he might have no partner in the glory of the success he promised himself. The action did not begin till the evening, *Sertorius* waiting till then, because he knew, that to his enemies, not well acquainted with the country, the night would be disadvantageous, whether they should be obliged to fly, or have occasion to pursue.

^f A city ruined many ages ago, which stood at the mouth of the river *Sucro*, now the *Xucar*,

Y. R. 577.
Bef. Chr.

75.
376 Conf.

Frontin.
xi. 7.

Plut. in
Sert. & in
Pomp.

In

Y.R. 577.
Ref. Chr.

75.
376 Conf.

In the beginning of the engagement, *Sertorius* was at the head of his right wing, and fought with success: but receiving advice that his left had given ground before *Pompey*, he repaired thither; and his presence changed the face of things in a very short time. Even *Pompey's* person was twice in the greatest danger: The second time he saved his life by quitting his horse; for it being richly caparisoned, and the Barbarians falling into contention for the spoil, this gave him opportunity to escape.

Sertorius's right wing, after his leaving it, was totally defeated by *Afranius*, who commanded the left of the enemy: The victorious troops pushed on to the very camp of the vanquished, and began to plunder it. *Sertorius*, in that instant, arrived, cut off a great number of the plunderers, and forced the rest to retire in disorder.

He prepared for another engagement the next day; but, upon receiving intelligence, that *Metellus* had joined *Pompey*, thought it prudent to retire; affecting, however, at the same time, to express an utter contempt for the latter; "If the old woman had not come^f, I would have sent the boy back to *Rome* well chastised."

Frontin.
ii. 13.

Not thinking that even the flight of his troops, in one body, would be safe, he commanded them to disperse themselves; but assigned them a ren-

Plut. in
Pomp.

^f Why old? he was but *fifty-two*; for when he served under his father, in *Numidia*, in the year 645, he was only *Twenty* years of age (*vid. supra*, p. 44.) yet *Plutarch* always speaks of him as, at this time, weighed down with years, almost superannuated.

dezvous:

dezvous: for this was his method, and what the Barbarians were accustomed to; so that sometimes he was in the mountains almost alone; and, presently after, saw himself at the head of a numerous army. This sudden re-assembling of the dispersed soldiers into one great body *Plutarch* compares to the flowing and concentrating of the melted snows, so as to form one mighty torrent.

Y. R. 677.
Bef. Chr.

75.
376 Conf.

What, at this time, gave *Sertorius* no small concern, his hind, during the tumult of the last battle, and the plundering of his camp, was lost; and he now wanted her service more than ever for keeping the Barbarians in respect. Fortunately some of his soldiers met her in a wood, and, knowing her, brought her to him. He promised them a great reward, if they would keep the thing secret; and, having caused her to be hid for some days, one morning he put on an air of gaiety, and told the *Spanish* chiefs, who were with him, that he had, the night before, had a dream, which foretold him some happy event by the favour of the Gods. After this, he, according to custom, gave audience to those who had business with him. The hind was on a sudden let go, and, seeing *Sertorius*, came skipping to him, laid her head upon his knees, and licked his right hand, which he held out to her. *Sertorius* caressed her with an extreme tenderness, even to shedding some tears. The Barbarians were at first struck with astonishment, but then, recovering themselves, shouted loudly for joy, regarding him as a favourite

Plut. in
Sertoria

rite

Y.R. 677:

Plut. in
Pomp.

rite of heaven, and as a person above the rank of mortal men.

At the arrival of *Metellus*, *Pompey* would have lowered his Fasces before him, as before his senior and superior; but *Metellus* would not suffer it; indeed he always treated *Pompey* as his colleague and equal (with this exception only, that, when they encamped together, *Metellus* alone gave the word); and to *Metellus's* opinion *Pompey* constantly paid a respectful deference.

Plut. in
Sertor.

The two generals, in this perfect concert, marched in quest of *Sertorius*, and, at length, forced him to a battle. The armies met near *Segontia* ²; the action continued from noon till after sunset. *Sertorius* faced *Pompey*, who, in this engagement, lost his Quæstor *Memmius*, the bravest officer in his army, together with a great number of men: But *Sertorius* could not improve the advantage, which this gave him, being necessitated to go to the assistance of his left wing, which, under the conduct of *Perperna*, was almost entirely defeated by *Metellus*. A terrible slaughter of this general's troops was now made, and he himself wounded, having exposed his person with great bravery and intrepidity: but this very wound gained him the day; for his soldiers, who both loved and honoured him, seeing the hurt he had received, and the consequent danger he was in of falling into the hands of his enemies, grief and rage augmented their strength, and animated them to such vigorous efforts, as the *Spaniards* were utterly unable to withstand; and *Sertorius*

² *Sigüenza* in *Old Castile*.

failed

failed of victory, when he imagined himself ~~sure~~ of it.

Y. R. 677.
Bef. Chr.

75.
376 Conf.

Urged by necessity, he had now recourse to his usual expedient in like cases: He disbanded his army, and, with a small number of brave soldiers, retired into a strong place in the mountains; and there he began to improve and increase the fortifications, as if he intended to sustain a siege. By this he effectually baffled the enemy; who, hoping to reduce the place in a short time, sat down before it, ceased their pursuit of the scattered flying *Spaniards*, and thereby allowed them opportunity to re-assemble themselves, strengthened with considerable recruits. He had ordered them to give him notice so soon as they were collected into a body sufficiently strong to keep the field. The expected notice received, he, without delay, sallied out, and, having easily forced a passage through the enemy, put himself at the head of the army, that was waiting for him. And now by marches, and counter-marches, he harassed and quite tired out the armies of *Metellus* and *Pompey*; kept them, by frequent ambushes, in constant perplexity; cut off the provisions that were coming to them by land; prevented, by his cruizers, their receiving any supplies by sea; and at length reduced, both the one and the other, to abandon all that part of *Spain* which had submitted to him. *Metellus* retired into farther *Spain*; *Pompey* into *Gallia Narbonensis*.

Plut. in
Sert.

Liv. Epit.
xciii.

[GREAT commotions are said to have been at *Rome* during the present year, on occasion of *Sylla's* innovations with regard to the Tribuneship.

Y.R. 677.

Vid. supr.

p. 326.

Sallust.
Hist. iii. in
Orat. Ma-
cri.

Freinshem.

ship. He had very much abridged (as we have seen) the powers belonging to that Magistracy: but he was no sooner dead, than the Tribunes exerted their utmost efforts to recover their ancient rights: an attempt which produced perpetual war between them and the Consuls: and the conflict was more sharp than ever this year, when the Consul *Curio*^h maintained against the Tribune *Cicinius* the changes made by *Sylla*. Nor were the disputes between these terminated by speeches, but by the assassination of *Sicinius*, *Curio* being suspected of the crime.

In the same Consulship, was a deputation from the SENATE to collect from every quarter, all that could be found of the *Sibylline* oracles. The books which contained them had seven years be-

^h *Cicero* (in *Brut.* 213, & seq.) tells us, that *Curio* was an orator of a singular cast; that he was extremely ignorant, and had nothing to entitle him to the name of Orator, but an abundant flow of words, and a florid diction: That his memory sometimes failed him entirely, insomuch, that one day, in a cause, where they were on opposite sides, *Curio* rising up to speak, forgot, that moment, all he had intended to say, and was reduced to complain, that the adverse party had deprived him of his memory by enchantments. As to his action, it was perfectly ridiculous; his arms, while he spoke, moving like the pendulum of a clock, which gave occasion to *Sicinius*, who had a good deal of humour, and more impudence, to make a smart jest upon him. The two Consuls being on the Rostra in an Assembly of the People, and *Octavius* being forced to keep sitting, wrapt up in cloths with cataplasms and fomentations, *Curio* spoke in the name of both. When he had done, *Sicinius* addressing himself to *Octavius*,— You can never sufficiently acknowledge the obligations you have to your colleague: for if he had not swung his arms about as usual, the flies would have eat you up, before this time.

fore

fore been consumed in the burning of the Capitol. From *Erythræ* (a city of *Æolis*, the supposed country of the *Sibyl*), *Ilium*, *Samos*, *Sicily*, and several cities of *Italy*, the deputies made a collection of verses which went under the name of the *Sibyl*; but in which *Varro*, by the acrostics (or initial letters) discovered numerous interpolations.]

Y. R. 677.
Bef. Chr.
74.
377 Conf.

THE affairs of *Sertorius* were probably in the situation above-mentioned, when [during the Consulship of *L. Octavius* and *C. Aurelius Cotta*] he received an embassy from *Mithridates*, king of *Pontus*, offering him the aid of money and ships, and demanding, in return, the cession of *Asia*, which he had been obliged to abandon by his treaty with *Sylla*.

Y. R. 678.
Bef. Chr.
74.
377 Conf.

This prince was meditating a renewal of the war with the *Romans*. He had at his court two *Roman* fugitives, *L. Fannius* and *L. Magius*, formerly companions and friends of *Fimbria*. Their hatred of *Sylla* recommended them to *Mithridates*, and they supported themselves in his favour by flattery. As they had formerly adhered to the party, of which *Sertorius* now protected the remains, they suggested to the king the thought of making an alliance with him: they compared the *King* to *Pyrrhus*, and *Sertorius* to *Hannibal*, and nothing was to stand before two such great generals.

App. Mi-
thrid.
Plut. in
Sert.

Sertorius, at the head of his Senate, gave audience to the king's Ambassadors; and when they were withdrawn, he brought the affair under deliberation. The Senators were unanimously

Y. R. 678.
 Bef. Chr.
 74-
 377 Conf.

for accepting the king's offers; for they wanted both money and ships; and they considered what the king asked in return, as only an empty title. *Sertorius*, however, differed from them in opinion. He said, he should not object to the king's seizing *Bithynia* and *Cappadocia*, countries always governed by kings, and to which the *Romans* had no ancient title: but that as to *Asia Minor*, of which they were lawfully possessed, at the time when that prince endeavoured to deprive them of it, and which, after he had been driven out of it by *Fimbria*, he had renounced by a solemn treaty, he would never consent that it should fall under the power of *Mithridates*. He added, "I ought to make my power subservient to the aggrandizing of the Commonwealth, and not aggrandize myself by its losses and decrease. A brave man, undoubtedly, desires to conquer with glory; but he will think life itself too dearly purchased, if at the price of base proceedings."

When this answer was brought to *Mithridates* by his Ambassadors, it astonished him extremely. *What orders then, said he, would Sertorius send, did he preside in the Senate at Rome, he who, while banished, proscribed, and driven to the coasts of the Atlantic sea, sets bounds to my dominions, and threatens me with war, if I make any attempts upon Asia?* The treaty was concluded, upon the conditions prescribed by *Sertorius*: it imported, that *Mithridates* should have *Bithynia* and *Cappadocia*: that *Sertorius* should send him a general and some troops, and should receive from the king

3000 talents, and 40 ships. *Sertorius* dispatched one of his Senators, named *M. Marius*, into *Asia*; and to this Proconsul of *Sertorius's* creating, were all the honours of that office paid in the army of *Mithridates*. If any city of *Asia* was taken, *Marius* entered it in pomp, preceded by his Lictors with their rods and axes, and followed by the king of *Pontus*, who condescended to take the second place. The Proconsul granted liberty to some of the *Asiatic* cities; to others immunities and exemptions, all in the name of *Sertorius*, without permitting *Mithridates* to perform any act of sovereignty.

Y. R. 678.
Bef. Chr.
74.
377 Conf.

To return to the war in *Spain*. *Pompey*, as was before mentioned, being reduced by *Sertorius* to take up his winter-quarters in *Gallia Narbonensis*, wrote thence a letter to the Senate, in very high and menacing terms, complaining that they suffered him to want every thing; that, during the three years of his command in *Spain*, he had scarce received the money necessary for the expence of one; and he concluded with this declaration: "I have not only exhausted my estate, but my credit: I have no resource but in you: if you fail me, I give you notice, that my army, and the war itself, will soon be in *Italy*."

Salust.
Hist. l. iii.

When this letter arrived at *Rome*, *L. Licinius Lucullus* and *M. Aurelius Cotta* were in the Consulship. As *Lucullus* ardently desired to have the conduct of the war against *Mithridates*, and was apprehensive that *Pompey* only sought a pretext for quitting the war in *Spain*, that he might come

Y. R. 679.
Bef. Chr.
73.
378 Conf.
Plut. in
Pomp. &
Lucull.

Y. R. 679.
Bef. Chr.

73.
378 Conf.

to *Rome*, and dispute with him the other employment, which was far more easy and more lucrative, he spared no pains to keep him at a distance, and with that view caused all the money he demanded to be sent to him. This supply put *Pompey* into a condition to return out of *Gaul* into *Spain*.

Plut. in
Sert.

Metellus, to get the better of *Sertorius*, took measures of another sort. He set a price upon his head, promising by proclamation, to any *Roman* who should kill him, 100 talents and 20,000 acres of land; and, in case the assassin were an exile, liberty to return home. *Plutarch* observes, that this did not suit well with that contempt of *Sertorius*, which *Metellus* always affected in his discourses, styling him *Sylla's* fugitive, and calling his followers the fragments of *Carbo's* shipwreck. How sincere and extreme a dread he had of the superior abilities of *Sertorius*, he manifested yet more fully (as the same historian remarks) by his frantic joy, on occasion of some small advantage he imagined he had obtained over him. He caused himself to be saluted EMPEROR [Imperator] by his soldiers: altars were erected, and sacrifices offered to him in the cities through which he passed: choirs of young men and maidens sang hymns to his praise: and little figures of Victory were made to descend (as in puppet-shows), and, in the midst of artificial thunder and lightening, put crowns upon his head. All this was followed by the most magnificent and costly entertainments, which he gave in celebration of his mighty achievement; and, at these feastings, the ridiculous

Plut. in
Sert. &
Sallust. ap.
Macrob.
Sat. iii.
13.

culous oaf, drinking and staring, fat in state, his august person being clothed in the proper robe of TRIUMPH.

Y. R. 679.
Bef. Chr.
73.
378 Conf.

Sertorius had little to fear from the prowess of such an enemy, but much from a spirit of sedition which prosperity had given birth to, among the *Romans* of his own army. Whilst the danger was great and imminent, fear kept all submissive to the only man who could protect them: but when that fear was removed, envy and jealousy took place. *Perperna*, who, from the beginning (as formerly mentioned) aspired to the chief command, was the most active in spreading whispers.

App. p.
421.
Plut. in
Sert.

“ What evil genius has made us quit one unhappy state, to precipitate ourselves into a worse?
“ Our own country, where we might have lived
“ in peace and quiet, we forsook, because we
“ disdained to obey *Sylla*, whom the whole universe obeyed; and we came hither to live in
“ liberty. And here we are become the most
“ abject slaves; nay, have voluntarily subjected
“ ourselves to be the guards and satellites of a
“ banished fugitive. He calls us the SENATE: a
“ vain title that exposes us to ridicule. Noble
“ Senators indeed are we, who suffer from him
“ the same imperious and insolent treatment, as
“ the Barbarians of *Spain* and *Lusitania*!”

Discourses of this kind had their effect^a; and though the discontented feared the power of *Sertorius* too much to hazard an open revolt, yet

^a *Appian* tells us, that when *Metellus* and *Pompey* returned into *Spain*, after passing a winter in the *Pyrenees*, and when their armies approached that of *Sertorius*, many of his Ro-

Y. R. 679.
Bef. Chr.

73.
378 Conf.

they contrived to ruin him with the *Spaniards*, by treating them harshly, and loading them with taxes, as if by his order. From hence arose commotions and revolts among those nations; and the persons, whom he sent to remedy these evils, designedly made them more difficult to be cured. That *Sertorius*, under these disadvantages, lost ground before *Metellus* and *Pompey*, will easily be supposed; and we are told, that, exasperated by bad success, and reduced to extremities by revolts, he forsook his former character to such a degree, as to let the weight of his wrath against the parents fall upon the children whom he had caused to be educated at *Osca*, of whom he killed some, and sold the rest ^b.

man soldiers deserted to them, which put him into such wrath, that he cruelly treated others who were innocent, and that this produced a general discontent among his *Romans*: but what most of all alienated their minds from him was, that he placed all his confidence in the *Spaniards*, forming of them the guard of his person: and that the *Spaniards*, proud of the preference, contemptuously reproached the *Romans* with want of fidelity. The historian adds, that *Sertorius* would have been entirely abandoned by them, but for the need they knew they had of so great a captain.

M. Crevier has inserted these facts into his text; though *Plutarch* gives not the least hint of them; and they are neither probable nor very consistent with the removal of that fear of the enemy, which, *Plutarch* tells us, had kept them submissive, while under its influence; nor with other particulars of *Plutarch's* relation, as the reader may observe.

^b May it not be reasonably questioned, whether *Plutarch* had any better authority for this story, concerning the children, than some Aristocratic-party-writer? Would the *Spaniards* so soon have forgot these murders? *Vid. infr. p. 194.*

He adds, that, on account of this cruel proceeding of

Among

Among those whom *Perperna* drew into his conspiracy, was *Manius*, an officer in the army, who, at that time, loved a certain youth; to whom, in order to engage his affections, he discovered the secret; boasting, that in a few days he should be a person of great power and authority: but the youth having more inclination for *Aufidius*, disclosed all to him, who was likewise one in the conspiracy, but knew not that *Manius* was engaged therein. Upon the youth's naming *Perperna*, *Græcinus*, and others, whom *Aufidius* knew to be conspirators, he was much surprised and terrified. He made slight of the matter to the youth, and bid him not regard what *Manius*, a vain boasting fellow, had said; and then

Y. R. 679.
Bef. Chr.

73.
378 Conf.

Plut. in
Sert.

Sertorius, in the latter part of his life, some believed his former mildness and clemency to have been mere disguise and art, the dictate of reflection, and what the necessity of his affairs prompted him to. The historian-moralist declares himself of a different opinion: for though he holds that real solid virtue, confirmed by reason and habit, will ever be uniform, whatever adversity may happen; yet he thinks, that a man of the gentlest and most virtuous disposition may be so provoked by insolent and injurious treatment, and especially by ingratitude, as to become wicked and cruel towards those, who have injured and betrayed him; and this he supposes to have been the case with *Sertorius*.

The same Moralist leaves it problematical, whether *Sylla* (the most cruel of all monsters) was not once a good-natured man, and afterwards spoilt by prosperity and elevation.

But as for *Marius*, he was, it seems, without question, always wicked and always cruel, cruel by nature; his rising to power made no change in him in that respect. *Plut. in Syll.* And this is sufficiently manifest (though there be no other evidence of it, nor shadow of evidence) from his despising the Greek language and literature. *Vid. supr. p. 79.*

Y.R. 679.
Bef. Chr.73.
378 Conf.

going immediately to *Perperna*, gave him notice of the danger they were in of a discovery, urging him to the execution of their design without delay. To this all the conspirators having agreed, they provided a messenger, who brought to *Sertorius* counterfeit letters, importing notice of a victory gained by one of his lieutenants with great slaughter of the enemy. *Sertorius*, highly pleased with the news, performed a sacrifice of thanksgiving to the Gods; at the close of which, *Perperna* invited him, and those who assisted at the sacrifice (who were also of the conspiracy) to an entertainment; and, being very importunate, prevailed with him to come. At all suppers and entertainments where *Sertorius* was present, great decency used to be observed: for he would not endure to hear or see any thing contrary to the most perfect modesty. But at this entertainment the conspirators, pretending to be drunk, began to hold the most dissolute discourses, proceeding to actions of obscenity, with design to make *Sertorius* angry. He, whether because he had a natural abhorrence of such licentious deportment, or because he perceived, by certain signs they made to each other, and their unwonted failure of respect for him, something of their design, changed his posture, turning upon his bed, as if to avoid seeing any thing more of what passed. *Perperna* seized that moment for the execution of his purpose. He took a cup full of wine, and, in drinking, let the cup fall. This was the signal agreed upon; *Antonius*, instantly drew his sword, and, being on the same bed with *Sertorius*, gave him the

the first wound; then throwing himself upon his stomach, seized his hands, and while he thus deprived him of all power to make resistance, the other conspirators with many stabs dispatched him ^e.

Y. R. 679.
Bef. Chr.

73.
378 Conf.

App. Plut.

Perperna, so soon as he had perpetrated his crime, was for reaping the fruit of it, by taking possession of the command, but found some difficulties in the way. The death of *Sertorius*, so treacherously and cruelly murdered, had put an end to all hatred conceived against him by the multitude; compassion succeeded, they forgot the causes he had given them of complaint, and remembered only his virtues: the *Spaniards*, especially, regretted the loss of him, and looked upon the assassins with horror: many states revolted on the first news of his death, and made their submission either to *Pompey* or to *Metellus*. Nevertheless *Perperna*, by the means of money, promises, threats, and even punishments, aptly employed, managed so artfully, as not only to hinder the army from disbanding itself, but engage the greater part of it to accept him for their general: with what success we shall see hereafter.

^e It would seem, that this murder was committed in the year 680; for *Sertorius* was in the eighth year of his command, having been called in by the *Lusitanians* in the second Consulship of *Sylla*.

C H A P. IV.

WAR of SPARTACUS *the Gladiator.*

Y. R. 680.
Bef. Chr.
72.
379 Conf.

Plut. in
Crass.
App. in
Civ. l. i.
P. 423.
Flor. l. iii.
c. 20.
Orof. v. 24.

IT was during the next year (680), *M. Terentius Varro Lucullus* and *C. Cassius* being Consuls, that the war of *Spartacus* broke out in *Italy*.

In the city of *Capua*, one *Lentulus* caused a considerable number of slaves, most of them by birth *Gauls* or *Thracians*, to be trained to the science of gladiators, not on account of any crimes by them committed, but for his own profit. Of these wretches 200 entered into a plot to run away; but their design having been discovered, only seventy-eight of them could put it in execution, and these fled with no other arms than kitchen-knives and spits. Nothing in appearance could be more contemptible, or less likely to make the capital of the universe tremble: but in a government, where great numbers are discontented with their condition, the least commotions are to be feared: and it happened, that those fugitive slaves had a man at their head who was alone worth an army; a man of ability and courage, skilful to employ stratagem, or force, intrepid in dangers, fruitful of expedients in adversity, prudent and moderate in prosperity. In a word, a Hero reduced to the condition of a slave. Such was *Spartacus*. He had too great a spirit to reconcile

concile himself to so infamous a profession, as that of fighting for the amusement of spectators; and he persuaded the companions of his fortune to hazard their lives rather in attempting to recover their liberty. However, he was not the only leader of the band: *Crixus* and *Oenomaus* were associated with him in the command: And the difficulties occasioned by this division of authority, was not among the least of those which *Spartacus* experienced in the execution of his enterprize.

Y. R. 680.
Bef. Chr.
72.
379 Conf.

They had scarcely quitted *Capua*, when they met and seized a carriage loaded with the arms of gladiators, arms not fit for war, but better than those with which they had furnished themselves; and these they soon after exchanged for the proper arms of soldiers; for a body of the *Capuans* coming out in pursuit of them, *Spartacus* defeated these pursuers, killed a greater number of them, and armed his little band with their spoils.

This first success augmented their number, but not sufficiently to embolden them to keep the field. *Claudius Pulcher*, who was sent from *Rome* against them, found them posted upon mount *Vesuvius*. He encamped at the foot of that mountain, and having possessed himself of the only practicable way leading to the summit (all the rest being steep rock and precipice) he supposed that he had so effectually shut up the rebels, as to leave them no possibility of escaping. Nevertheless, the slaves, by means of ladders made of vine-branches, of which they found abundance upon the spot, got down the rock: one only remained

Y. R. 680.

Bef. Chr.

72.

379 Conf.

mained above till he had thrown down to his comrades their arms; and then he likewise descended, and re-joined them. And now *Spartacus*, not contented with escaping from the enemy, attacked them, when they least expected it, defeated them, and took their camp.

This second victory made the slaves of all the neighbouring country flock to him, insomuch that his followers soon encreased to 10000; and because he wanted arms for so great a number, he forged, as well as he could, all the iron he could get, into swords and other offensive weapons, and made shields of basket-work, covered with skins of beasts newly killed. Thus armed, they ravaged all *Campania*, and, in some considerable cities, which they took and plundered, committed a thousand cruelties and outrages upon such as fell into their hands, though *Spartacus* did his utmost, by remonstrances and intreaties, to restrain his followers from these excesses. Grown insolent by success, they indulged themselves in the pleasure of gratifying their revenge by all possible indignities toward those they had formerly feared.

From *Rome*, it being now perceived that the affair was serious, they sent the Prætor *P. Varius* against the rebels. *Spartacus* very soon defeated *Furius*, one of the Prætor's lieutenants, who commanded a detachment of 2000 men; and, some time after, *Cossinius*, whom *Plutarch* calls the counsellor and colleague of *Varinius*, suffered himself to be surprized in *Lucania*: The enemy were very near taking him in the bath, his

troops were defeated, his camp forced, and he himself killed. After these successes, *Spartacus* vanquished the Prætor in several actions, and at length took his Fasces, which from thenceforward he caused to be borne before his own Person.

Y. R. 680.
Bef. Chr.
72.
379 Conf.

Nevertheless, this glare of prosperity did not so dazzle his eyes, as to hinder him from seeing, that it was impossible for him to triumph finally over the *Roman Power*, and that, sooner or later, he must unavoidably sink under it. He resolved therefore to march his forces towards the *Alps*, and pass those mountains as soon as he could, to the end that the *Gallic* and *Thracian* soldiers, who made the far greater part of his army, might retire to their respective homes, there to enjoy in peace a liberty that had cost them so much labour, and so many perils to recover. Wise as this counsel was, the slaves, because hitherto constantly victorious, rejected it: They saw themselves 40000 strong, and being full of a frantic confidence, and allured with the hope of becoming rich, by plundering *Italy*, had no inclination to look forward to more distant consequences.

Plut. in
Crass.

When the consular Fasces were transferred to *L. Gellius Poplicola* and *Cn. Cornelius Lentulus Claudianus*, the troops of *Spartacus* had increased to 70000 men. Three armies were sent against them, two commanded by the two Consuls, and a third under the Prætor *Q. Arrius*. The dissension and division, which arose among the enemy, gave those armies an advantage. *Spartacus* could not keep the *Gauls* of his army in obedience: they separated from him, and, under the command

Y. R. 681.
Bef. Chr.
71.
380 Conf.

Y. R. 681.

Bef. Chr.

71.

380 Conf.

* Mount
St. Ange-
lo.

mand of their countryman *Crixus*, threw themselves into *Apulia*, and pillaged the country; but the Consul *Gellius* and the Prætor *Arrius* fell upon them near mount *Garganus* *, and of 30,000 men, of which their body consisted, killed 20,000, *Crixus* himself falling in the action.

Sallust.

Hist. l. iv.

Spartacus, not discouraged nor disconcerted by this disaster, directed his march through the *Apenines*, still pursuing his design of gaining the *Alps*, and quitting *Italy*. To oppose his progress, the Consul *Lentulus* advanced; a general of whom *Sallust* doubts, whether his vanity or his folly were the greater. *Spartacus* put his army to the rout, and then, turning back, met *Gellius*, the other Consul, who was coming from *Apulia* to inclose him between himself and his colleague; and though *Gellius* was joined by the Prætor *Arrius*, *Spartacus* defeated them both in a pitched battle.

App. p.
424.

It was a custom at *Rome* to honour the funerals of illustrious persons with combats of gladiators. *Spartacus*, on occasion of this victory, caused the like honours to be paid to the manes of his late companion, *Crixus*. Having picked out 300 of the stoutest men among his prisoners, he compelled them to fight round the funeral pile which he had erected; thus retaliating upon the *Romans* the insult, which he and his companions had suffered from them. The rest of the prisoners, and such of the carriage-horses as were unfit for service, he caused to be killed. And now seeing the number of his soldiers increased, by reason of these successes, to 120000, he entertained the bold design
of

of marching to *Rome* : however, as the two Consuls, with all the forces they could assemble, posted themselves in *Picenum* †, in his way, he dropped that project ; but turning against the Proconsul *C. Cassius* and the Prætor *Cn. Manlius*, defeated them, and put them to flight.

Y. R. 681.

† Marca di Ancona.

The Senate were greatly dissatisfied with all their generals of this year, who had suffered luxury to reign in their camps ; so that discipline had lost its vigour ^d. New Consuls were chosen, *Cn. Aufidius Orestes*, and *P. Cornelius Lentulus* ^e *Sura*. But the chief dependance of the Republic was upon *Crassus*, then Prætor ; and who, in *Sylla's* war, had given proof both of his courage, and of his ability. He received orders to march against *Spartacus*, and his reputation induced many persons of the first rank to accompany him in this war. *Crassus*, who knew that no success was to be expected, unless strict discipline were observed by the troops, quickly shewed that he resolved to re-establish it. He had detached *Mummius* with two legions to observe the motions of the enemy, but with orders not to hazard a battle, or even a skirmish. *Mummius*, nevertheless, imagining he had found a favourable opportunity of gaining some advantage, came to an engagement with the enemy. The *Roman* soldiers fled in a

Y. R. 682.

Bef. Chr.

70.

381 Conf.

Plut. in Crass.

^d Military rewards were lavished (says *Plutarch*) without waiting till they were deserved. *Cato* refused, as not being his due, those that were offered him by the Consul *Gellius*, under whom he served at this time. *Plut. in Cat.*

^e This was the *Lentulus* concerned afterwards in *Catiline's* conspiracy.

cowardly

Y. R. 682.

Bef. Chr.

70.

381 Conf.

cowardly manner, and many of them returned to the camp without their arms, which they had thrown away to run the faster. Of these run-aways, *Crassus* decimated 500 of the most faulty. The fifty criminals were executed ignominiously in the sight of the whole army; and nothing of the like nature having been practised, during a great length of time, this example made the deeper impression. Beside this severity, *Crassus* obliged those who had thrown away their arms to find sureties for the new arms he furnished them with; by which proceeding, the *Roman* soldiers being brought to fear the severity of their general more than the swords of their enemies, they soon retrieved their honour. Of a body of 10,000 slaves, *Crassus* cut in pieces two thirds, and soon after gained an advantage over *Spartacus* himself, whom he drove into *Lucania*.

Spartacus continued retiring towards *Rhegium*, having formed the design of passing into *Sicily*, in which island, as it had already been the theatre of two wars with slaves, he hoped to rekindle a fire that was hardly yet extinguished: and, at first, fortune seemed to favour his hopes; for there happened to be in the Streight some ships belonging to pirates, with whom he treated for transporting 2000 of his men into *Sicily*; but the pirates, having received his money, steered a different course. And when, after this, he made an attempt to cross the Streight upon floats and rafts, the rapid current of the sea, which presently destroyed those weak transports, convinced him of the impossibility of succeeding that

Flor. iii.

20.

that way. *Crassus*, in the mean time, having followed him in his march, he found himself shut up within the peninsula of *Bruttium*. The isthmus between the two seas is about thirty miles over: across this isthmus, *Crassus* caused a trench to be cut fifteen feet in depth, and as many in breadth, and fortified it with a strong and high wall. While this work was carried on, *Spartacus* made no attempt to disturb the workmen: His thoughts were wholly intent on arming his followers: He was near the sea on three sides, and invited merchants to bring to his camp, not gold and silver, but iron. Of this he amassed a great quantity, and, having caused arms to be forged, supplied all his troops abundantly. And now his great affair was to force the barrier, which the *Romans* had formed to shut him up. His first attempts were not successful. To make his troops resolute through despair, he caused a prisoner to be crucified at the head of his camp, that they might see with their own eyes the punishment which they must undergo, if, failing of victory, they should fall into the hands of the *Prætor*. At length, in a tempestuous night, when there fell abundance of snow, he found means to fill up a part of the trench with earth and fascines, and passed his whole army over it.

Crassus, who had expected to conquer without striking a blow, was in such a consternation at the escape of his prey, that, in the first emotion of his fear, he wrote to the Senate, that it was necessary to call to his aid both *Varro Lucullus*, then returning from the war of *Thrace*, and

Y. R. 682.
Bef. Chr.
70.
381 Conf.

Y.R. 682.
Bef. Chr.
70.
381 Conf.

Pompey, who, having entirely re-established the tranquillity of *Spain*, was on his way home. However, he soon repented his invitation of those generals to join him: For, having learnt that the *Gallic* slaves, not instructed by the misfortune and death of *Crixus*, had again separated themselves from *Spartacus*, he fell upon them, put them into disorder, and would have intirely cut them off, if *Spartacus* had not come with expedition to their succour.

Frontin. ii.
5. 14.

The *Gauls* still encamped separate from *Spartacus*, under the command of two generals of their own nation, *Gannicius* and *Castus*. *Crassus* found means to deceive *Spartacus*, so as to make him think, that the greater part of the *Roman* forces were fronting him, while they were really marching against the other commander. By this stratagem, he gained a signal victory, which almost effaced the shame of the preceding defeats sustained by the *Romans*. He recovered five *Roman* eagles, twenty-six ensigns, and five fasces with their axes. Thirty-five thousand of the enemy, according to the Epitome of *Livy*, remained upon the spot. *Plutarch* makes the number of the killed amount to only twelve thousand three hundred. And he observes, that those slaves fought with so much resolution, that, of so great a number, only two received their wounds behind.

Lib. xcvi.
Plut. in
Crass.

Spartacus, after so considerable a loss, found it necessary to retire farther from the *Prætor*; and he marched towards *Apulia*. *Crassus* detached one of his lieutenants, and his *Quæstor*, to pursue

fue

sue him. These officers, despising an enemy that fled, followed him so close and so incautiously, that they gave him a favourable opportunity of turning upon them, and fighting them with advantage. The *Romans* fled in great disorder, and the *Quæstor*, being wounded, did not escape without much difficulty.

Y. R. 682.
Bef. Chr.
70.
381 Conf.

This success occasioned the ruin of *Spartacus*; his soldiers becoming so presumptuous thereupon, that they would not pursue the route he had directed them to take, but would have him turn back in quest of *Crassus*. There was another reason which determined *Spartacus* so to do: He had received advice that *Varro Lucullus* was arrived at *Brundisium*, and this made him apprehend being inclosed between two armies. *Crassus* no less desired a decisive battle, because *Pompey* approached; and the friends of this general, who was very popular, said publicly at *Rome*, that it was necessary to send him against *Spartacus*; for that he alone was born to put an end to the wars that were shameful to the *Roman* name. *Crassus*, therefore, being no less desirous of fighting than *Spartacus*, they soon came to a general action.

On this occasion, *Spartacus*, being determined either to conquer or die, killed his horse at the head of his army, saying to his soldiers, that if he proved victorious, he should have horses enough; if vanquished, he should have no want of them. Fighting like a man in despair, he broke through the thickest battalions, killed two centurions with his own hand, in endeavouring to come at the

Y. R. 682.
 Bef. Chr.
 70.
 381 Conf.

person of *Crassus* : His efforts were vain, and he fell dead, covered with a multitude of wounds. Upon his fall, his soldiers all fled, and the conquerors gave no quarter: 40,000 slaves remained on the field of battle.

Plut. in
 Crass. &
 Pomp.

Nevertheless, a considerable number escaped the slaughter, and formed themselves into different bands. One of these, consisting of about 5000, who were making their way to the *Alps*, fell into the hands of *Pompey*.

He happened, at this time, to be on his return from *Spain* ; where he had, without much difficulty, put an end to the war. For though *Perperna* had prevailed with the army (as was before mentioned) to submit to his command, yet, not having the military talents of *Sertorius*, it was but sport to *Pompey* to subdue him. Stupidly running into a snare which *Pompey* had laid for him, he was entirely defeated, his army dispersed, his principal officers killed on the spot, and he himself taken prisoner.

Plut. in
 Sertor.

Perperna, to save his life, signified to *Pompey*, that in *Sertorius's* papers he had found proof of secret correspondence held with him by many persons at *Rome*, even some Consulars and other principal Senators; that he had in his hands their original letters, by which they invited *Sertorius* to bring his army into *Italy*. *Pompey* is much praised for his prudence and generosity on this occasion. He knew that the best way of quieting the discontents of the city, was to free the *Marians* from those fears, which a consciousness of guilt would suggest, rather than push them to the

the necessity of seeking their security in a change of affairs, and the overthrow of the State. He caused therefore all *Sertorius's* papers to be brought to him; and he burnt them without reading them himself, or suffering any other person to read them. And, lest *Perperna* should divulge something of what he knew, and mention names, he would not once see him, but caused him to be instantly put to death. Of the other persons concerned in the murder of *Sertorius*, several were taken by *Pompey's* soldiers, and killed by his order: some fled into *Africa*, where the *Moors* shot them to death with arrows. One only escaped; a wretch, who, hated by all that knew him, spent the remainder of his life in beggary.

After the defeat and death of *Perperna*, the remainder of the party had no resource, but in the victor's clemency. The towns of *Spain* eagerly made their submission; two only ventured to stand out, and both these were taken and destroyed. Thus ended the war in the Consulship of *Cn. Aufidius Orestes* and *P. Corn. Lentulus Sura* (year of *Rome* 682), after it had lasted ten years: and thus expired the last remains of *Marius's* faction.

Pompey erected, in the *Pyrenees*, many monuments to perpetuate the memory of his exploits. On these monuments were inscriptions, importing, that, in the country between the *Alps* and the extremities of further *Spain*, he had subjected eight hundred and seventy-six cities.

Y. R. 682.
Bef. Chr.

70.
381 Conf.

Plin. vii.
26.

Y. R. 682.
Bef. Chr.
70.
381 Conf.

Cic. in
Verr. v. 5.
& pro Leg.
Manil. 30.
pro Sext.
31.

Orof. l. v.
24.
Appian.

Plin. xv.
29.
Cic. in Pis.
24.

In his return home he, accidentally, fell in with that band of fugitive slaves before mentioned, a remnant of the army of *Spartacus*. He put them all to the sword; and, on this foundation, and on this alone, was for ascribing to himself the glory of having terminated that war. He wrote to the Senate, that *Crassus* had indeed put the slaves to flight, but that he had plucked up the war by the roots. *Cicero*, too, from a particular dislike of *Crassus*, affected, in his public speeches, to give *Pompey* the honour of finishing that war, declaring, that the very fame of his coming had broke the force of it, and his presence extinguished it. History, however, has done *Crassus* justice, and has transmitted his name to us with this praise, that by his vigilance, ability, and courage, he, in the space of six months, happily terminated a war, which had alarmed the *Romans*, not much less than even that of *Hannibal*. Six thousand of the runaways, who fell alive into the hands of the *Romans*, were crucified along the road from *Capua* to *Rome*.

As to quelling the revolt in *Spain*, no body at *Rome* durst venture, either in earnest or in jest, to ascribe the least portion of the merit to any other than *Pompey*; so great a favourite he was of the multitude. And for this atchievement he was decreed a *second TRIUMPH*, though still a private citizen, and of the equestrian rank.

Crassus, on account of the mean condition of the enemies he had vanquished, obtained only the *lesser triumph* or *ovation*. Permission, however, was given him by the Senate, at his request, to wear,

wear, in the triumphal procession, instead of the crown of Myrtle, the crown of Laurel, which had hitherto been appropriated to the greater triumph ^a.

Y. R. 682.
Bef. Chr.
70.
381 Conf.

CHAP. V.

CRASSUS and POMPEY are chosen Consuls for the Year 683. POMPEY makes his court to the PEOPLE, by repealing some of Sylla's Laws.

THE time for the great elections drew nigh: both the victorious generals aspired to the Consulship, and neither of them had disbanded

^a This year [682] abounded with triumphs at Rome. For, besides those of *Crassus* and *Pompey*, and *Metellus* (for he too had the like honour), *M. Terentius Varro Lucullus* had a triumph for his conquest of *Thrace*. In the year 679, he had succeeded his elder brother, *L. Lucullus*, in the Consulship; and after the expiration of his Magistracy had *Macedonia* for his province. [*Plut. in Lucull.*] According to *Florus* [iii. 4.] he had pushed on his conquests as far as the *Tanais*, and the *Palus Mæotis*: he subdued likewise the whole coast of the *Euxine* sea, from the mouths of the *Danube* to the *Bosporus* of *Thrace*, and from *Apollonia*, a city upon that coast, brought away a colossus of *Apollo*, thirty cubits high, which he placed in the Capitol. He spent only two campaigns in these expeditions. *Cicero* gives the epithet of TRIUMPHAL to *Macedonia*, because it furnished so many occasions of triumphing to the Roman generals. *Provincia ex omnibus una maxime triumphalis.* Cic. in Pis. 44.

Cornelius Dolabella (Consul in the year 672) had obtained a triumph for his successes in that country. And *Scribonius Curio* (Consul in the year 677) being sent thither the next year after his Consulship, had subdued the *Dardanians* to the North, and had likewise conquered *Mæsia*, and penetrated as far as *Dacia*.

Y. R. 681.

Plut. in
Pomp. &
in Crass.

his army. Many persons at *Rome* were apprehensive lest *Pompey*, after the example of *Sylla*, should make himself master of the Commonwealth: and *Crassus* declared, that he would not disband his troops, unless those of *Pompey* were likewise dismissed. The apprehensions, which these things occasioned, *Pompey* removed at once, by promising to dismiss his soldiers so soon as his Triumph should be over.

As to the *Consulship*, there were some difficulties to be surmounted with regard to *Pompey*. He was born in the 647th year of *Rome*, and therefore was not at this time full *thirty-six* years old, and, to be elected Consul, *forty-three* was the legal age. It would be strange to see a man placed in the highest Magistracy, before he was capable by Law of pretending even to the lowest ^b! But so great and so universal was the admiration of him, that the Senate dispensed with the Laws in his favour; and *Crassus* (who needed no such dispensation) found it not prudent to stand candidate without asking his consent. *Pompey*, highly

^b *Quid tam singulare, quam ut legibus solutus ex S. consulto consul ante fieret, quam ullum alium magistratum per leges capere licuisset.* Cic. pro lege Manil. xxi. The *Ædileship* was the first office that was properly called a Magistracy, and what could not regularly be obtained till after an interval of *five years* from the *Quæstorship*; and the *Quæstorian* age (in the latter times of the Republic) was the same with the *Senatorial*, *thirty years* complete; For *Cicero*, who declares in some of his speeches, that he had acquired all the honours of the City, without repulse in any, and each in its proper year, or as soon as he could pretend to it, yet did not obtain the *Quæstorship* till he had passed through his thirtieth year. See *Midd. Treat.* on the Roman Senate, p. 93, 94.

flattered

flattered by an application of that sort from so considerable a man, and having long wished for an occasion to do him a friendly office, went so far as to declare to an Assembly of the People, "That he should be no less obliged to them for giving him *Crassus* to be his colleague, than for their bestowing the Consulship upon himself." Both were unanimously elected: after which, both triumphed for their victories in the wars they had respectively conducted; and *Pompey*, the very next day after his triumph, took possession of the Consulship. As if he had been born to command, he made his first entry into the Senate in the proper post to preside in it.

Y. R. 682.

Plut. in
Pomp. & in
Crass.

Vell. Pat.
l. ii. c. 30.

M. Licinius Crassus ^c,
Cn. Pompeius Magnus ^d, } Consuls.

Y. R. 683.
Bef. Chr.
69.
382 Conf.

The misunderstanding between *Crassus* and *Pompey* revived very soon after their taking pos-

^c " *Crassus's* father and elder brother lost their lives in the massacres of *Marius* and *Cinna*; but he himself escaped into *Spain*, where he had contracted a numerous acquaintance, while his father was *Prætor* of that country; and he lay there concealed till *Sylla's* return to *Italy*, whither he presently resorted to him, in hopes to revenge the ruin of his fortune and family on the opposite faction. As he was attached to *Sylla's* cause both by interest and inclination, so he was much considered in it; and being extremely greedy and rapacious, made use of all his credit to enrich himself by the plunder of the enemy, and the purchase of confiscated estates; which *Cicero* calls his *barvest*. By these methods he raised an immense wealth, computed at many millions, gathered from the spoils and calamities of his country. He used to say, that no man could be reckoned rich, who was not able to maintain an army out of his own rents: and, if the accounts of antiquity be true, the number of his slaves was

Plut. in
Crass.

Cic. Parad.
vi. 2. ib. 1.

session

Y. R. 683.
Bef. Chr.

69.
382 Conf.

Plut. in
Crass.

Plut. in
Pomp.

Plut. in
Crass.

Plut. in
Pomp.

session of the Consular Fasces, and they did nothing memorable in their Magistracy, beside making their court to the People.

Crassus, having consecrated the *tenth* of his estate to *Hercules*, gave a feast to the whole City, and to each Citizen corn for three months.

Pompey took various measures to establish himself in the affection of the multitude. By ancient institution, the *Roman Knights*, when they

“scarce inferior to that of a full army; which, instead of
“being a burden, made one part of his revenue; being all
“trained to some useful art or profession, which enabled them
“not only to support themselves, but to bring a share of profit
“to their master. Among the other trades in his family, he
“is said to have had above five hundred masons and architects
“constantly employed in building or repairing the houses
“of the City. He had contracted an early envy to *Pompey*, for
“his superior credit both with *Sylla* and the People; which
“was still aggravated by *Pompey’s* late attempt to rob him of
“the honour of ending the Servile War: But finding himself
“wholly unequal to his rival in military fame, he applied
“himself to the arts of peace and eloquence; in which he
“obtained the character of a good speaker; and by his easy
“and familiar address, and a readiness to assist all, who wanted
“either his protection, or his money, acquired a great authority
“in all the public affairs.” *Middleton’s Life of Cicero*, vol. I.
P. 73.

As *Pompey* had never been a *Senator* before he was *Consul*, and was therefore wholly unacquainted with the rules of the House, the learned *Varro* furnished him, at his request, with a manual of instruction in relation thereto. *A. Gell.* xiv.

From the time of *Pompey’s* first coming into public life, the People of *Rome* (says *Plutarch*) seem to have entertained a singular affection for him: which is the more extraordinary, as he was the son of a most detestable and most detested father, *Cn. Pompeius Strabo* (*Consul* in the year 664), a man infamous for rapaciousness, for murder, and for treachery to both the

had

had completed their time of service, which was ten years, presented themselves before the CEN-

Y.R. 683.

contending factions. Never did the *Romans* express so implacable a hatred to any of their generals, as to this man; who being struck dead by lightening (the year of *Rome* 666) his body was not suffered to be carried with the usual solemnity to funeral: The populace tore it from off the bier, dragged it by a hook along the streets, and insulted it with all manner of outrages.

Vid. *supr.*
P. 258.
App. de
Bell. Civ.
Jul. Ob-
sequ. 54.

The son, on the contrary, had rendered himself so dear to the soldiery, that, at nineteen years of age, he, by his sole influence, prevailed with the army, in which he then served under his father (the very year in which his father was struck dead), not to execute the resolution they had taken of deserting their general; whom he had just before, in the same hour, preserved from being treacherously assassinated in his tent.

Plut. in
Pomp.

The next year an attack was made upon his fortune; and he himself personally accused: the charge imported, that, after the taking of *Asculum*, his father *Pompeius Strabo* had appropriated the spoil to his own use, instead of accounting for the produce of it to the treasury; and that the son had been a sharer in this robbery. He was called upon therefore to make satisfaction to the Public out of the effects to which he had succeeded. In his defence, he set forth, that he had already made satisfaction to the Public, for his father's peculation; and that he had likewise given information to the Prætor of certain robberies committed by his father's secretary, who had thereupon been tried and condemned. As to his own share in the accusation, it appeared, that he had reserved nothing out of the spoils of *Asculum*, but some curious books, and some hunting-nets; and these being of little value, the prosecution was judged to be malicious. The most eminent orators of *Rome*, *Philippus*, *Carbo* (who was Consul the next year), and *Hortensius*, defended *Pompey* in this cause. He himself spoke several times, and in such a manner, as to acquire great reputation. The Prætor *Antistius*, who presided in the court, was so taken with his behaviour, that he resolved to make him an offer of his daughter, *Antistia*, in marriage, and, even during the prosecution, they concluded the contract. [This bargain

SORS

Y. R. 683.
 Bef. Chr.
 69.
 382 Conf.

SORS, to whom they gave an account of the campaigns they had made, and under what generals.

between the judge and the defendant, pending the cause, may, perhaps, be thought not to redound much to the honour of either.] *Pompey* was acquitted; the marriage presently followed: yet, about four years after, he divorced this lady, at the command, or persuasion of *Sylla*, who, from political views, and with the approbation of his wife *Metella*, engaged him to marry *Æmilia* the daughter of *Metella*, by her former husband *Æmilius Scaurus*) she being the wife of *Acilius Glabrio*, by whom she was then actually with child. *Plutarch* observes, that *Pompey's* divorcing *Antistia*, was the more cruel, as upon his account (he being deemed a favourer of *Sylla's* cause) her father *Antistius* had been murdered in the Senate-house [by order of the younger *Marius*]. Her mother *Calpurnia* was so affected with these tragic events, that she put an end to her own life. *Æmilia* too soon after died in child-bed.

What chiefly gained to *Pompey*, in early life, the public favour, was his habitual temperance, his martial disposition, his genius for war, and his strict discipline in military service; add to this, that he was generous, and, though naturally grave, affable, and agreeable in speech, and had such an appearance of candour in his air and manner, as engaged confidence.

Vid. supr.
 P. 300.

We have already seen, That, at twenty-three years of age, he, by his own credit and interest, raised three Legions, with which he joined *Sylla*, against the faction of *Marius* and *Cinna*;

That the next year (671) *Sylla* sent him into *Sicily* against *Perperna* and *Carbo*;

That from *Sicily* he passed into *Africa* to conduct the war against *Demetrius* and *Hiarbas*; and that, for having vanquished them, he extorted, at his return to *Rome*, the grant of a triumph, contrary to the inclination of the Dictator, and contrary to custom, the victor being only a Roman Knight: That he afterwards vanquished *Lepidus*, and totally crushed his faction: That he was afterwards sent into *Spain* against *Sertorius*, but had little success there, during the life of that able general: That, after the murder of *Sertorius*, he brought the war to a happy issue, without much difficulty; and that in his return

The

THE CENSORS ^f *L. Gellius* and *Cn. Lentulus*, sitting in their curule chairs, at the gate of the temple of *Castor*, making the review, *Pompey* appeared. He entered the Forum in all the state belonging to his consular dignity, but he himself leading his horse by the bridle. When he came in sight of the CENSORS, he made the Lictors, who were walking before him, stand aside, while he led his horse up to the Tribunal of those Magistrates. The People, struck with so singular a spectacle, remained in silence and admiration. The elder of the Censors put this question to him, *Pompey, have you completed all the years of service which you owed the Commonwealth?* He answered, (speaking with a loud voice) *Yes, I have completed them all; and in all, have been myself the General.* At these words the whole Forum resounded with shouts of applause; the CENSORS rose up, and

Y. R. 683.
Bef. Chr.
69.
382 Conf.

home (year of *Rome* 682) he met with, and put to the sword, a body of fugitive slaves, part of the army which *Craſſus* had routed. His election soon after to the Consulship has just been related.

^f There had been no CENSORS in the State for fifteen years past, when *Lentulus* and *Gellius* were honoured this year with that high office. They expelled out of the Senate sixty-four members; among whom were *C. Antonius* (second son of *M. Antonius* the orator) and *P. Lentulus Sura*, who had been Consul the year before; and whom we shall find hereafter engaged in *Catiline's* conspiracy. *Q. Curius*, another of the conspirators, was likewise one of the sixty-four.

Liv. Epit.
l. xcviij.

At the closing of the Lustrum, the number of the Citizens (which had been greatly augmented by admitting the allies to the freedom of *Rome*) amounted to 950,000, according to *Freinsheimus*, who, in this particular, forsakes his text, or principal author, the Epitome of *Livy*, where we read 450,000.

conducted

Y. R. 683.
Bef. Chr.
69.
382 Conf.

conducted *Pompey* back to his house: well knowing they should thereby please the multitude, who, transported with delight, continued clapping their hands all the way.

Another thing by which *Pompey* greatly endeared himself to the People, was the change he made with regard to the *Judicature*; which *Sylla* had transferred wholly to the SENATORS. Corruption in the courts of justice had risen to a most prodigious height. The Judges sold their votes, without hiding their shame; and it was grown (says *Cicero*) to be an established maxim, that *a wealthy man, how criminal soever, could not be condemned*. On occasion of *Cicero's* prosecution of *Verres*, a celebrated modern, partial enough to the Aristocratical faction, writes thus:

Cic. in
Verr. Act.
i. 1. & 15.
Ascon. in
Divin.

Midd. Life
of Cic. vol.
I. p. 79.

“ The public administration was, at this time,
“ in every branch of it, most infamously corrupt :
“ the great, exhausted by their luxury and vices,
“ made no other use of their governments, than
“ to enrich themselves by the spoils of the fo-
“ reign provinces: their business was to extort
“ money abroad, that they might purchase offi-
“ ces at home, and to plunder the Allies, in order
“ to corrupt the Citizens. The oppressed, in the
“ mean while, found it in vain to seek relief at
“ *Rome*, where there was none who cared either
“ to impeach, or to condemn a *noble criminal*; the
“ decision of all trials being in the hands of men
“ of the same condition, who were usually in-
“ volved in the same crimes, and openly prosti-
“ tuted their judgment on these occasions for
“ favour, or a bribe. This had raised a general
“ lar

“ discontent through the empire, with a particular disgust to that change made by *Sylla* of transferring the right of Judicature from the Equestrian & to the Senatorian order, which the People were now impatient to get reversed: the prosecution therefore of *Verres* was both seasonable and popular, as it was likely to give some check to the oppressions of the NOBILITY, as well as comfort and relief to the distressed subjects.—*Gicero*, in his speech, after opening the reasons why, contrary to his former practice, and the rule which he had laid down to himself of dedicating his labours to the defence of the distressed, he now appeared as an Accuser, adds, the provinces are utterly undone; the allies and tributaries so miserably oppressed, that they have lost even the hopes of redress, and seek only some comfort in their ruin: Those who would have the trials remain in the hands of the Senate, complain, that there are no men of reputation to undertake impeachments, no severity in the Judges: The People of Rome, in the mean while, though labouring under many other grievances, yet desire nothing so ardently, as the ancient discipline, and gravity of trials. For the want of trials, the Tribunician power is called for again; for the abuse of trials, a new order of Judges is demanded; for the scandalous behaviour of Judges, the authority of the CEN-

Y. R. 683.
Bef. Chr.
69.
382 Conf.

p. 82.

⚡ This is a mistake. *Sylla* transferred to the Senators the right of judicature, not from the Equestrian order, but from the persons elected by the tribes out of the three orders. See above, p. 224.

SORS,

Y. R. 683.

Bef. Chr.

69.

382 Conf.

" SORS, *bated before as too rigid, is now desired,*
 " *and grown popular. In this license of profligate*
 " *criminals, in the daily complaints of the Roman*
 " *People, the infamy of trials^h, the disgrace of the*
 " *whole Senatorian order, as I thought it the only*
 " *remedy to these mischiefs, for men of abilities and*
 " *integrity to undertake the cause of the Republic,*
 " *and the Laws, so I was induced the more rea-*
 " *dily, out of regard to our common safety, to*

^h M. Crevier has selected, from a great number, two or three striking instances of the infamy here spoken of: and I choose to borrow them from him, not only to avoid trouble, but because he is so warm a partizan of the *Aristocracy*, as to say, speaking of *Lucullus* (tom. xi. p. 13.) *His fidelity to Sylla and the ARISTOCRATICAL PARTY proves him to have been a solid man, a man of sound understanding and noble sentiments.* [Sa fidelité pour Sylla et pour le parti de l'Aristocratie prouve un Caractere solide et élevé].

P. Lentulus Sura had been Prætor in *Spain*, and was accused at his return home of Maladministration. He bribed the Judges (according to the common practice at that time) and was acquitted; but finding that of thirty-two voices, he had seventeen in his favour, he complained heavily of bad management, and the unnecessary expence he had been put to by his agent's purchasing one voice more than was necessary. *Q. Calidius* having been condemned: [doubtless because not so rich as his accuser] of misconduct when Prætor in *Spain*, reproached his Judges, not for having given sentence against him, but for having done it at too low a price. *You ought to have been better paid for ruining a man, who has been honoured with the office of Prætor. You have sold me for a morsel of bread.*

Oppianicus, a Roman Knight, (before mentioned as a murderer, in speaking of *Sylla's* Proscriptions) [Vid. sup. p. 313.] was now prosecuted by his son-in-law, *Cluentius*, for an attempt to poison him. The two accomplices of the accused had been tried and convicted, which made his case almost desperate. In this extreme peril, he applied himself to *Stalenus*, one of his

" come to the relief of that part of the administra-
" tion, which seemed the most to stand in need of it."

Y. R. 683.
Bef. Chr.
69.
382 Conf.

Judges. This man undertook to buy, for about 3200 l. sixteen voices, the number necessary and sufficient to acquit him, the bench consisting of thirty-two Judges. *Stalenus*, having received the money, wisely considered, that it would be better for himself to retain the whole for his own use; and that certainly no one would call upon him to refund it, in case *Oppianicus* were condemned. The prudent part therefore would be to get him condemned. In order to this, he promised, on the part of the accused, to some of the Judges about 200 l. each, to acquit him; and then, a few days before the trial, told those Judges, that *Oppianicus* had broke his word, and had not lodged the money with him. The consequence was, that one part of the Judges condemned *Oppianicus*, because he was manifestly guilty; the other part, because they thought he had deceived them. *Cicero* tells us, that *Stalenus* had likewise received money from the accuser,

But the instance of *Verres*, who had been three years Prætor of *Sicily*, is, of all, the most astonishing proof of the corruption which prevailed among the Great. His trial was in this year, 683, (*Craffus* and *Pompey* being Consuls) which was the year before the Consulship of *Hortensius*. The crimes of *Verres*, both for weight and number, are almost incredible.

" All the cities of *Sicily* concurred in the impeachment, ex-
" cepting *Syracuse* and *Messana*; for these two being the most
" considerable of the province, *Verres* had taken care to keep
" up a fair correspondence with them. *Syracuse* was the
" place of his residence, and *Messana* the repository of his
" plunder, whence he exported it all to *Italy*: and though he
" would treat even these on certain occasions very arbitra-
" rily, yet, in some flagrant instances of his rapine, that he
" might ease himself of a part of the envy, he used to oblige
" them with a share of the spoil: so that partly by fear, and
" partly by favour, he held them generally at his devotion;
" and, at the expiration of his government, procured ample
" testimonials from them both, in praise of his administration:
" All the other towns were zealous and active in the prosecu-
" tion, and by a common petition to *Cicero* implored him to

Midd. Life
of Cic. vol.
I. p. 80.

In Verr. ii.
18. & iii. 8.
it. 11.

Y. R. 683.
Bef. Chr.
69.
382 Conf.

Afcon.
Argum. in
Divinat.

Cic. in
Verr. ii.

Quintil.
vi. 3.

Hortensius [that distinguished, illustrious patriot, ever steady to the interest of the Republic]

“ undertake the management of it; to which he consented,
“ out of regard to the relation which he had born to them as
“ Quæstor, and his promise made at parting, of his protection
“ in all their affairs. *Verres*, on the other hand, was sup-
“ ported by the most powerful families of *Rome*, the *Scipio's* and
“ the *Metelli*, and defended by *Hortensius*, who was the reign-
“ ing orator at the bar, and usually stiled *the king of the Forum*.
“ *Cicero* had no sooner agreed to undertake the cause, than
“ an unexpected rival started up, one *Q. Cæcilius*, a *Sicilian*
“ by birth, who had been Quæstor to *Verres*, and by a pretence
“ of personal injuries received from him, and a particular
“ knowledge of his crimes, claimed a preference to *Cicero*
“ in the task of accusing him, or, at least, to bear a joint share
“ in it. But this pretended enemy was in reality a secret friend,
“ employed by *Verres* himself to get the cause into his hands
“ in order to betray it. His pretensions, however, were to
“ be previously decided by a kind of process called *Divination*,
“ on account of its being wholly conjectural; in which the
“ Judges, without the help of witnesses, were to *divine*,
“ as it were, what was fit to be done; but in the first hear-
“ ing *Cicero* easily shook off this weak antagonist, rallying
“ his character and pretensions with a great deal of wit and
“ humour.”

But as to *Verres's* advocate *Hortensius*, who had received pre-
sents from *Verres* (a thing considered at that time as below the
dignity of an orator), *Cicero* reproached him in very sharp terms.
“ *Crassus* and *Antonius* would not have undertaken the defence
“ of such a man as *Verres*, a man lost to all sense of shame: they
“ would have feared lest, for so doing, they should be thought
“ as shameless as he. They did not care to bring themselves into
“ the dilemma of being necessitated to appear without delicacy in
“ the article of probity, by defending a cause notoriously wicked;
“ or without gratitude, by deserting a person whose liberality they
“ had experienced.”

Quintilian mentions a smart saying of *Cicero* on this occasion.
As he had attacked his adversary in an indirect ironical man-
ner, *Hortensius*, pretending not to understand him, said, *He was*
had

had a great hand in this mischief of corrupting the courts of justice. He governed with so

Y.R. 683.

not good at expounding riddles; That's strange (replied Cicero) *as you have the Sphinx at home;* (an ivory Sphinx, which Verres had given him).

Verres, before he left his province, had openly said, that those ought to fear, who had robbed for themselves only; but as for him, he had taken enough to satisfy the greediness of many; that he had a powerful friend (meaning *Hortensius*) under whose protection he could pillage the People with impunity; that he had been three years Prætor, and should be very well content with retaining one year's gains for himself; that he intended another for his advocates and defenders; and reserved the third, which was the richest, for the Judges.

Nevertheless, he was deceived in his expectations. “ The previous point being settled in favour of Cicero, 110 days were granted to him by Law, for preparing the evidence; in which he was obliged to make a voyage to Sicily.— On his return to Rome, he found, what he suspected, a strong cabal formed to prolong the affair by all the arts of delay, which interest or money could procure, with design to throw it off, at least till next year, when *Hortensius* and *Metellus* were to be Consuls, and *Metellus's* brother a Prætor, by whose united authority the prosecution might easily be baffled: and they had already carried the matter so far, that there was not time enough left within the current year to go through the cause in the ordinary forms. This put Cicero upon a new project of shortening the method of proceeding, so as to bring it to an issue, at any rate, before the present Prætor *M. Glabrio*, and his assessors, who were like to be equal judges. Instead therefore of spending any time in speaking, or employing his eloquence, as usual, in enforcing and aggravating the several articles of the charge, he resolved to do nothing more than to produce his witnesses, and offer them to be interrogated: where the novelty of the thing, and the notoriety of the guilt, which appeared at once from the very recital of the depositions, so confounded *Hortensius*, that he had nothing to say for his

Midd. Life of Cic. p. 83. 85.

In Verr. Act. i. 9. Quintil. vi. 5.

Argum. Asc. A.

Y. R. 683.

Bef. Chr.

69.

382 Conf.

kingly a sway in all trials, that the sentences given were generally such as he pleased. For, in de-

“ client; who, despairing of all defence, submitted, without expecting the sentence, to a voluntary exile,

“ From this account it appears, that of the seven excellent orations, which now remain on the subject of this trial, the two first only were spoken; the one called *The Divination*, the other *The first Action*, which is nothing more than a general preface to the whole cause; the other five were published afterwards, as they were prepared and intended to be spoken, if *Verres* had made a regular defence; for as this was the only cause, in which *Cicero* had yet been engaged, or ever designed to be engaged, as an accuser, so he was willing to leave these orations, as a specimen of his abilities in that way; and the pattern of a just and diligent impeachment of a great and corrupt Magistrate.

“ The accusation was divided into four heads: 1. *Of corruption in judging causes.* 2. *Of extortion in collecting the revenues and tithes of the Republic.* 3. *Of plundering the subjects of their statues, and wrought plate* (which was his peculiar taste). 4. *Of illegal and tyrannical punishments.*”

Of all the facts that Dr. *Middleton* has collected from *Cicero's* orations against *Verres*, I shall insert here the most curious only; that is, the most astonishingly wicked: they are under the last head of accusation.

Midd. Life
of Cic. p.
102.

Cic. in
Verr. l. v.
56.

“ When any vessel, richly laden, happened to arrive in the ports of *Sicily*, it was generally seized by his spies and informers, on pretence of its coming from *Spain*, and being filled with *Sertorius's* soldiers: and when the commanders exhibited their bills of lading, with a sample of their goods, to prove themselves to be fair traders, who came from different quarters of the world, some producing *Tyrian purple*, others *Arabian spices*, some *jewels and precious stones*, others *Greek wines and Asiatic slaves*; the very proof, by which they hoped to save themselves, was their certain ruin: *Verres* declared their goods to have been acquired by piracy, and seizing the ships with their cargoes to his own use, committed the whole crew to prison, though the greatest part of them perhaps were *Roman Citizens*. There was a famous

fending his client, he did not confine himself to exerting the power of his wit and eloquence :

Y. R. 683.

Bef. Chr.

78.

373 Conf.

“dungeon at *Syracuse*, called the *Latornia*, of a vast and
“horrible depth, dug out of a solid rock, which, having ori-
“ginally been a quarry of stone, was converted to a prison by
“*Dionysus* the Tyrant. Here *Verres* kept great numbers of
“*Roman Citizens* in chains, whom he had first injured to a de-
“gree, that made it necessary to destroy them; whence few or
“none ever saw the light again, but were commonly strangled
“by his orders.

Ibid. 27.

Ibid. 55.

“One *Gavius*, however, a *Roman Citizen* of the town of
“*Cosa*, happened to escape from this dreadful place, and run
“away to *Messana*; where fancying himself out of danger,
“and being ready to embark for *Italy*, he began to talk of the
“injuries which he had received, and of going straight to
“*Rome*, where *Verres* should be sure to hear of him. But
“he might as well have said the words in the *Prætor’s* pa-
“lace, as at *Messana*; for he was presently seized and secured
“till *Verres’s* arrival, who, coming thither soon after, con-
“demned him as a spy of the Fugitives, first to be scourged in
“the market-place, and then nailed to a cross, erected for
“that purpose, on a conspicuous part of the shore, and look-
“ing towards *Italy*, that the poor wretch might have the addi-
“tional misery of suffering that cruel death in sight, as it
“were, of his home.

Ibid. 61.

Ibid.

“The coasts of *Sicily* being much infested by pirates, it was
“the custom of all *Prætors* to fit out a fleet every year for the
“protection of its trade and navigation. This fleet was provided
“by a contribution of the maritime towns, each of which
“usually furnished a ship, with a certain number of men,
“and provisions: But *Verres*, for a valuable consideration,
“sometimes remitted the ship, and always discharged as many
“of the men as were able to pay for it. A fleet, however,
“was equipped of seven ships; but for shew rather than ser-
“vice, without their complement either of men or stores,
“and wholly unfit to act against an enemy; and the command
“of it was given by him, not to his *Quæstor*, or one of his
“Lieutenants, as it was usual, but to *Cleomenes*, a *Syracusan*,

Y. R. 683. Sollicitations, careffes, menaces, money, every means of gaining his point, he diligently em-

Cic. in
Verr. v.
31.

“ whose wife was his mistress, that he might enjoy her com-
“ pany the more freely at home, while the husband was em-
“ ployed abroad. For, instead of spending the summer as
“ other governors used to do, in a progress through his pro-
“ vince, he quitted the palace of *Syracuse*, and retired to a little
“ island adjoining to the City, to lodge in tents, or rich pavi-
“ lions, pitched close by the fountain of *Arethusa*; where,
“ forbidding the approach of men, or business, to disturb him,
“ he passed two of the hot months in the company of his fa-
“ vourite women, and all the delicacy of pleasure that art and
“ luxury could invent.

Cic. in
Ver. v. 33.

“ The fleet in the mean time sailed out of *Syracuse* in great
“ pomp, and saluted *Verrus* and his company, as it passed;
“ when the *Roman Prætor*, (says *Cicero*) who had not
“ been seen before for many days, shewed himself at last to
“ the sailors, standing on the shore in slippers, with a purple
“ cloak and vest flowing down to his heels, and leaning on the
“ shoulder of a girl, to view this formidable squadron; which,
“ instead of scouring the seas, sailed no farther, after several
“ days, than into the port of *Pachynus*. Here, as they lay peace-
“ ably at anchor, they were surprized with an account of a
“ number of *pirate frigates*, lying in another harbour very
“ near to them; upon which the admiral *Cleomenes* cut his
“ cables in a great fright, and, with all the sail that he could
“ make, fled away towards *Pelorus*, and escaped to land: the
“ rest of the ships followed him as fast as they could; but two
“ of them, which sailed the slowest, were taken by the pi-
“ rates, and one of the captains killed: the other captains
“ quitted their ships, as *Cleomenes* had done, and got safe to
“ land. The pirates, finding the ships deserted, set fire to
“ them all that evening, and, the next day, sailed boldly
“ into the port of *Syracuse*, which reached into the very
“ heart of the town; where, after they had satisfied their
“ curiosity, and filled the city with a general terror, they sailed
“ out again at leisure, and in good order, in a kind of tri-
“ umph over *Verrus* and the authority of *Rome*.

Ibid. 35.
36

ployed.

ployed. The method of passing sentence was by balloting. To each of the Judges were given

Y. R. 683.
Bef. Chr.
69.
382 Conf.

“ The news of a *Roman fleet* burnt, and *Syracuse* insulted by
“ pirates, made a great noise through all *Sicily*. The captains,
“ in excuse of themselves, were forced to tell the truth; that
“ their ships were scandalously unprovided both with men
“ and stores, and in no condition to face an enemy; each of
“ them relating how many of their sailors had been dis-
“ charged by *Verres's* particular orders, on whom the whole
“ blame was justly laid. When this came to his ears, he sent
“ for the captains, and, after threatening them very severely for
“ talking in that manner, forced them to declare, and to
“ testify it also in writing, that every one of their ships had
“ its full complement of all things necessary: but finding, after
“ all, that there was no way of stifling the clamour, and that
“ it would necessarily reach to *Rome*, he resolved, for the ex-
“ tenuation of his own crime, to sacrifice the poor captains, and
“ put them all to death, except *the admiral Cleomenes*, the most
“ criminal of them all; and, at his request, the commander
“ also of his ship. In consequence of this resolution, the four
“ remaining captains, after fourteen days from the action, when
“ they suspected no danger, were arrested and clapt into irons.
“ They were all young men, of the principal families of *Sicily*,
“ some of them the only sons of aged parents, who came
“ presently, in great consternation, to *Syracuse*, to solicit the
“ Prætor for their pardon. But *Verres* was inexorable; and,
“ having thrown them into his dungeon, where no body was
“ suffered to speak with them, condemned them to lose their
“ heads.” The fathers and mothers of these innocent unfor-
tunate young men, passed whole days and nights at the door of
the prison, begging only to be allowed to embrace their chil-
dren, and receive their dying breath. At the gate stood the
gaoler, the Prætor's Lictor, raising taxes upon distress and mis-
ery. *You must give me so much for leave to go in; and so much
for permission to carry in victuals. — But, how much will you
give me to kill your son at one stroke, and not hack him, so as to
make him die a painful death?* The price, exacted for this
favour, being paid, — *Well, but there is another article to be fet-
tled. — Your son's carcase must be thrown to the wild beasts, un-*

Cic. in
Verr. v.
39, 40, &c.

Cic. in
Verr. v.

Y. R. 683.

Bef. Chr.

69

382 Conf.

three waxed tablets [little pieces of wood]; on one of which was the letter A, for *absolvo*; on

less you purchase leave to bury it. This last bargain concluded, the prisoners were brought forth and publickly executed; to the great satisfaction of *Verres*, who thereby got rid of so many witnesses of his misconduct.

Midd. p.

107.

“ It happened, however, before this loss of the fleet, that a
“ single pirate-ship was taken by *Verres's* lieutenants, and
“ brought into *Syracuse*; which proved to be a very rich
“ prize, and had on board a great number of handsome young
“ fellows. There was a band of musicians among them,
“ whom *Verres* sent away to *Rome* a present to a friend;
“ and the rest, who had either youth, or beauty, or skill in
“ any art, were distributed to his clerks and dependents, to
“ be kept for his use; but the few, who were old and de-
“ formed, were committed to the dungeon, and reserved
“ for punishment. The captain of these pirates had long been
“ a terror to the *Sicilians*, so that they were all eager to see
“ his person, and to feed their eyes with his execution: but,
“ being rich, he found means to redeem his head, and was
“ carefully kept out of sight, and conveyed to some private
“ custody, till *Verres* could make the best market of him. The
“ people, in the mean time, grew impatient and clamorous
“ for the death of the pirates, whom all *Prætors* used to execute
“ as soon as taken; and, knowing the number of them to be
“ great, could not be satisfied with the few old and decrepid,

Cic. in

Verr. v.

25, &c.

“ whom *Verres* willingly sacrificed to their resentment. He
“ took this opportunity, therefore, to clear the dungeon of
“ those *Roman Citizens*, whom he had reserved for such an
“ occasion, and now brought out to execution, as a part of
“ the piratical crew: but, to prevent the imprecations and cries
“ which *Citizens* used to make of their being *Free Romans*,
“ and to hinder their being known also to any other *Citizens*
“ there present, he produced them all with their heads and
“ faces so muffled up, that they could neither be heard nor
“ seen; and, in that cruel manner, destroyed great numbers of
“ innocent men! But to finish, at last, the whole story of
“ *Verres*: after he had lived many years in a miserable exile,

Ibid. 60.

another

another the letter C, for *condemno*; and on the third N. L. for *non liquet* [the thing is not clear, the cause must be reheard]. Each Judge, after hearing the cause, was to put one of these tablets into a box, or urn [called *Sitella*]. *Hortensius* not only engaged some one among the Judges to be a spy upon the rest; but, when he had an affair much at heart, contrived to furnish the Judges with tablets of different colours, that so, when these were taken out of the box, he might see, with his own eyes, whether the Judges, by him bribed, had kept faith with him, or not.

Pompey, in a speech which he made to the People before his Consulship, had promised to put a stop to this scandalous and mischievous corruption. It may therefore reasonably be conjectured, that *Aurelius Cotta*, now Prætor, who passed a law for that purpose, acted in concert with him. The law imported, that the Judges should no longer be chosen out of the Senate alone, but out of the three orders of the Commonwealth; that is to say, the SENATORS, the KNIGHTS, and the TRIBUNES or Commissioners of the Treasury; which last were of the order of the People: [their business was to remit the public money to the Quæstors for the payment of the

Y. R. 683.
Bef. Chr.
69.
382 Conf.

“ forgotten and deserted by all his friends, he is said to have
“ been relieved by the generosity of *Cicero*; yet was pro-
“ scribed and murdered, after all, by *Marc Antony*, for the
“ sake of his fine statues and *Corinthian* vessels, which he re-
“ fused to part with: Happy only (as *Lactantius* says), be-
“ fore his death, to have seen the most deplorable end of his old
“ enemy and accuser, *Cicero*.”

Senec. l. vi.
Suafor. vi.
Plin. Hist.
N. lib.
xxxiv. ii.
Lactan. ii.
4.

troops].

Y. R. 683.
Bef. Chr.
69.
382 Conf.

Cic. pro
Corn. 1.
& ibi
Ascon.

troops]. This law was observed, till the Dictatorship of *Caesar*.

But what, more than any thing, rooted *Pompey* in the affections of the People, was his sacrificing to them, in one important point, the interests of the *Aristocracy*. The attempt of *Sicinius*, in the year 677, to restore to the Tribunes their ancient privileges; and the destruction, he thereby drew upon himself, have been already mentioned. Notwithstanding his unfortunate end, the cause he had espoused was still supported: for, the year following, the Consul *Cotta* found himself obliged to consent that the clause which, in *Sylla's law concerning the Tribuneship*, excluded the Tribunes from the superior offices, should be repealed. And several Tribunes afterwards successively pursued the design of a total re-establishment of the Tribunician power. Nevertheless, six years had passed, and the thing was not effected. *Pompey*, whose ambition carried him to aim at a perpetuity of command, a design which he could no other way compass but by the favour of the People, took the present opportunity of gaining them entirely to his interest; and, by exerting his consular power, brought about that changeⁱ, which the multitude so passionately desired: and to which *Crassus* made no opposition.

The two Consuls, however, had disagreed very

ⁱ *Cicero*, in justification of *Pompey*, affirms, that it was not possible to avoid this repeal of *Sylla's law*, the People were so eagerly bent upon it: And that it was better *Pompey* should have the merit of it with the People, than that some pernicious citizen should thereby make himself popular. *De Leg.* iii. 26.
much

much during their whole administration. *Pompey*, notwithstanding his promise *, had kept his troops on foot near the city; and *Crassus* had not disbanded his army, so that *Rome* apprehended a new civil war like that of *Marius* and *Sylla*. Towards the close of *December*, when the People, being assembled, had ineffectually entreated the Consuls to put an end to their differences, a *Roman* Knight, named *C. Aurelius*, who had never intermeddled with public affairs, presented himself before them, and told them, " That in a dream he " had seen *Jupiter*, who commanded him to declare to the People, in his name, that they should " not suffer the Consuls to quit their office, till " they were become friends." The multitude, much affected with this dream, pressed the Consuls most earnestly to a reconciliation. *Pompey*, nevertheless, stirred not from his curule chair; but *Crassus* rose up, and, approaching his colleague, said: " *Romans*, I think it not below me to make " the first advances towards a man whom you honoured with the surname of THE GREAT, when " he was yet very young; and with two triumphs " before he was a Senator." At the same time, he held out his hand to *Pompey*, who could not reject so obliging an invitation. Thus was the reconciliation made between them: but the People would not depart till the Consuls had caused edicts to be posted up for disbanding their armies.

Pompey, who had begun to apprehend lest such a perpetuity of power, as he wished, should draw envy to a dangerous degree upon him, took an oath, that, on quitting the Consulship (which was

to

Y. R. 683.

* Vid. sup. p. 392.

Plut. in Crass. & Pomp. App. de Bell. Civ. p. 427.

Vell. Pat. l. ii. c. 31.

Y. R. 683. to expire the last of *December*), he would not accept of any government: he kept his word; and his example was followed by his colleague.

Bef. Chr.
69.
382 Conf.

This year VIRGIL was born.

CHAP. VI.

The Capitol consecrated. War declared against the CRETANS. The GABINIAN Law in favour of POMPEY (Year of Rome 686). The war with the Pirates. The MANILIAN Law in favour of POMPEY, Year of Rome 687.

Y. R. 684.
Bef. Chr.
68.
383 Conf.

IN the following Consulship of *Q. Hortensius* and *Q. Cæcilius Metellus* (afterwards surnamed *Creticus*) the rebuilding of the Capitol was finished, fourteen years after its being burnt. *Catulus*, who had superintended the rebuilding of it, had the honour of performing the consecration ^k.

The same year the war against the *Cretans*, whom the Prætor *Marcus Antonius* had attacked (as will be hereafter related), without commission so to do, was undertaken by public authority; and *Metellus* had the conduct of it, by the voluntary cession of his colleague: who, having been accustomed to a kind of dominion in juridical affairs ^l, chose to reside in the City, though the

Val. Max.
l. ii. c. 4.

^k In the games which *Catulus* exhibited on this occasion, he covered with fine linen of various colours the theatres, which till then were open to the heaven. *Plin.* l. xix. c. 1.

^l *Hortensius* had been a volunteer in the first year of the *Italic* war, commanded a regiment in the second; but, when that war

Cretan

Cretan war had fallen to him by lot, and he had been at first ambitious of that province. This

Y. R. 683.

was over, stuck close to the bar. He had begun very early to make a figure there, being but nineteen when he pleaded his first cause, to the admiration of all present. *Like a statue of Phidias* (says *Cicero*), the instant *he was seen, the same instant he was admired*. He charmed the eye no less by his *action*, than the ear by his voice, and the music of his periods. "He reigned absolute in the Forum when *Cicero* first entered it, and as his superior fame was the chief spur to *Cicero's* industry, so the shining specimen which *Cicero* soon gave of himself, made *Hortensius* likewise the brighter for it, by obliging him to exert all the force of his genius to maintain his ground against his young rival. They passed a great part of their lives in a kind of equal contest and emulation: But *Hortensius*, by the superiority of his years, having first passed through the usual gradation of public honours, and satisfied his ambition by obtaining the highest, began to relax somewhat of his old contention, and give way to the charms of ease and luxury, to which his nature strongly inclined him, till he was forced, at last, by the general voice of the city, to yield the post of honour to *Cicero*.—*Hortensius* published several orations, which were extant long after his death. — They are said to have owed great part of their credit to his *action*, which yet was thought to have more of art than was necessary to an orator, so that his compositions were not admired so much by the reader, as they had been by the hearer; while *Cicero's* more valued productions made all others, of that kind, less sought for, and, consequently, the less carefully preserved. *Hortensius*, however, was generally allowed by the ancients, and by *Cicero* himself, to have possessed every accomplishment, which could adorn an orator; elegance of style; art of composition; fertility of invention; sweetness of elocution; gracefulness of action. These two rivals lived, however, always with great civility and respect towards each other, and were usually in the same way of thinking, and acting, in the affairs of the Republic; till *Cicero*, in the case of his exile, discovered the plain marks [marks visible to himself only, as some think] " of a lurking

Cic. in Brut. 228.

Midd. Life of Cic. p. 52. vol. II.

Brut. p. 443.

Brut. 425. Orator. p. 261. Quintil. xi. 3.

Cic. in Brut. 425.

This

Y. R. 684.

Diod. Ap-
pian. &
Dio. apud
Fulv. Ur-
sin.

war will be spoken of more at large, when we come to *Pompey's* expedition against the Pirates.

Brut. init.

“envy and infidelity in *Hortensius*: yet his resentment carried him no farther, than to some free complaints of it to their common friend *Atticus*, who made it his business to mitigate this disgust, and hinder it from proceeding to an open breach; so that *Cicero*, who was naturally placable, lived again with him, after his return, on the same easy terms as before, and lamented his death [which was in 703] with great tenderness, not only as the *private loss* of a FRIEND, but a *public misfortune* to his COUNTRY, in being deprived of the service and authority of so experienced a statesman at so critical a conjuncture.”

It would be hard to forbear being a little more particular, in this place, concerning the *worthiness* of the person with whom *Cicero* lived in such constant friendship, and concerning the *grievous weight* of that misfortune which the PUBLIC sustained by losing so eminent a patriot, as *Hortensius*.

* Macrob.
ii. 9.

How able and assiduous a practitioner this patriot was, in corrupting the courts of Justice, has been already taken notice of. This was before his Consulship. After his ambition had been satisfied by the attainment of that highest honour; he, who had ever been a sop*, and inclined to luxury, became wholly a voluptuary and a trifler.

Tome xi.
p. 204.

I shall transcribe some part of what M. Crevier has given us on this head:

“If (as *Seneca* thinks) it be true, that there is an *infallible and necessary relation between the manners and eloquence of a speaker* [*talis hominibus oratio qualis vita*, Ep. 114.] what we know of the luxury and finical delicacy of *Hortensius*, and his fondness for trifles, will give us an idea of his speeches very conformable to the judgment passed on them by *Quintilian*; who thought them extremely below the reputation he had acquired as an orator.

“He was so nice with regard to his person, that he dressed himself before a looking glass, adjusting the plaits of his gown after the most graceful fashion, and then, to keep them in that state, most skilfully binding them with his girdle,

The

The next year *L. Cæcilius Metellus* (brother of *Quintus*, one of the last years Consuls), and *L. Marcius Rex*, took possession of the Consular fasces: But *Metellus* died in the beginning of *January*. Another, whose name is not transmitted to us, was chosen in his place; but he likewise dying soon after, and before he could enter upon his office, *Marcius* governed, sole Consul, the remainder of the year, the *Romans* not thinking it proper to proceed to a new election: He did nothing memorable during his Consulship: After the expiration of it, he went into *Cilicia*, the government of which had fallen to him.

Y. R. 685.
Bef. Chr.
67.
384 Conf.

The following year, when *M. Acilius Glabrio* and *C. Calpurnius Piso* were Consuls, was memor-

Y. R. 686.
Bef. Chr.
66.
385 Conf.

“ the knot of which he contrived to hide in one of the lappets of his gown, which seemed to fall negligently.

Plut. in
Pomp.
Strab. l.
xiv.

“ Foolishly fond of his trees, he watered (if one may here use that word) his Plane-trees with wine. And, it is reported, that, being to plead in a cause where *Cicero* was likewise engaged, he begged his consent to changing the hour; because he was under a necessity of going, without delay, to his *Tusculan* villa, to irrigate with wine a Plane-tree, which he had there planted.

“ His passion for the fish in his ponds was no less extravagant. *Cicero* has jested upon this folly, more than once, in his letters to *Atticus*. And *Varro* enters into particulars: He tells us, that *Hortensius*, with regard to his fish, was like misers with regard to their money: he durst not use them. And he not only forbore eating them, but fed them with his own hands; and, when they were sick, took as much care of them as of his slaves [probably more]. He warmed their water, lest they should suffer from the coldness of it; and, it is added, that (like the orator *Craffus*) he wept for the death of a lamprey.”

able

Y. R. 686.
 Bef. Chr.
 66.
 385 Conf.

able for the *Gabinian* law, which gave to *Pompey* the command of the war against the pirates.

The pirates were, originally, of *Cilicia*; they owed their beginning to the civil discords in the kingdom of *Syria* between the branches of the family of the *Seleucidæ*. The *Cilicians*, favoured by those wars, and the consequent diminutions of the royal authority, carried off a prodigious number of slaves from *Syria*. It was a very advantageous branch of commerce; because the *Romans*, grown rich since the taking of *Carthage* and *Corinth*, bought slaves without number. The mart for this trade was the island of *Delos*; and very often 10,000 slaves, brought thither at once, were sold the same day. The kings of *Cyprus* and *Egypt*, ever at war with those of *Syria*, favoured the pirates, because they distressed that country. Of these robbers the *Romans* took little notice, being diverted by more important and more urgent cares from giving attention to them, and from attempting to suppress a power which at first appeared contemptible. The war of *Mithridates*, to whose service the pirates attached themselves, furnished them with opportunities of increasing their strength. Ever since the time when *Sylla* besieged *Athens*, their cruising about had made navigation difficult and dangerous. They very much distressed *Lucullus*, and put him under a necessity of being upon his guard against a surprize from them, when, by *Sylla's* order, he was labouring to assemble a fleet from all the maritime countries subject to the *Romans*, or in alliance with them. The pirates, nevertheless, had

Orof. l. v.
 c. 23.
 Florus, l.
 iii. c. 6.

had not then begun to extend themselves far : They confined their courses to the sea between *Crete* and *Cyrene*, and between the *Piræus* and the promontory of *Malea*, now *Cape Malio*. But within this space, though not very large, they got such rich prizes, that they themselves gave it the name of the Golden Sea. And they confined themselves to it the rather, because they were not yet strong enough to insult *Sicily* and *Italy* : And *Mithridates*, with whom they acted in concert, was then master of *Asia*, and would not have permitted them to infest its coasts. But, when that prince was constrained to abandon his conquests, and had no longer any interest in *Asia*, he gave full scope to the pirates : and the civil wars at *Rome* not permitting *Sylla* to check their progress, their power increased prodigiously. Enriched by the plunder of the coasts of *Asia*, they were soon in a condition to fit out triremes and other large vessels. A multitude of people, ruined by the war between *Mithridates* and the *Romans*, greatly increased the piratic crew ; to whom they repaired, that among them they might find means of subsistence, which they were deprived of at land : And now the pirates began to form armies, and the captains of the ships became generals. They made descents, surprized cities that were not fortified, and, by assault, or by sieges in form, took others that were in a condition of defence : and, by these military exploits, they pretended to have ennobled their profession. And this notion so far prevailed, that many persons, considerable by birth and fortune,

Y. R. 686.
Bef. Chr.
66.
385 Conf.

App. Mi-
thrid. p.
234.

Y. R. 683.

Bef. Chr.

67.

384 Conf.

associated with them, and were far from thinking they dishonoured themselves by so doing.

At length they formed a kind of commonwealth, of which *Cilicia* was the center; a country difficult to approach, because of the rocks and shoals that lined the coasts. Hence, though an assemblage from almost all the nations of the east, they were called *Cilicians*. They had magazines, or staples, upon the coasts where they cruized, for depositing their booty, and had even naval arsenals well supplied with every thing necessary for building and equipping ships. They likewise erected high towers, from whence they might perceive their prey at a vast distance; and, at length, they succeeded so well, as to engage in their interest great and powerful cities, *Phaselis*, *Olympia*, and several others, which the commodiousness of a trade, carried on at the sole risque and expence of the pirates, induced to become their confederates.

Murana, whom *Sylla* had left in *Asia*, made some efforts to stop the rapid progress of their power, but ineffectually: so that, in the year 675, *P. Servilius* (who had been Consul the year before) was sent from *Rome* with both land and sea forces against them. These robbers, nevertheless, had the boldness to venture a battle with the *Roman* fleet; and, though the Proconsul obtained the victory, it was not without the loss of a great number of his men. After his victory, he pursued them into their retreats, took and demolished several of their fortresses, and even those two considerable cities, *Phaselis* and *Olympia*, which

which had entered into an alliance with them. Making an incursion into the country, he likewise forced the city of *Isaura*, and subdued the nation of the *Isauri*. The fruit, however, of all these conquests was little more than the honour to himself of a triumph, with the surname of *Isauricus*. His triumph was, probably, in the Consulship of *Lucullus* and *Cotta*, in the year of *Rome* 679; in which year the Prætor *Marcus Antonius* ^a was charged with the war against the pirates, and had a more extensive commission, than had ever before been given to a *Roman* general: for he had the superintendence of all the sea coasts subject to the *Roman* empire. The maritime countries, which he was commissioned to defend, were made sensible of his authority, no otherwise, than by the rapines he there committed: and, though his power extended over all the seas, he confined his operations to the attacking *Crete*, which had furnished some troops to the king of *Pontus*, and a retreat to the pirates. *Florus* tells us, that, believing himself sure of victory, he carried more chains than arms in his ships. The *Cretans*, who, notwithstanding the reduction of so many kingdoms and states under the *Roman* yoke, had hitherto preserved their liberty, were not intimidated. They put to sea, met him, defeated him, and took many of his ships. To insult the vanquished, they tied the prisoners to the sails and rigging of their vessels, and in that

Y. R. 686.
Bef. Chr.
66.
385 Conf.

Cic. in
Verr. ii.
4. & ibi
Ascen.

Flor. l. iii.
c. 7.

^a This Prætor was son of *Marcus Antonius*, the famous orator, and father of *Marc Antony*, the Triumvir.

Y. R. 686.
Bef. Chr.
66.
385 Conf.

manner returned triumphantly into their ports. *Antonius*, as meanly discouraged now, as he had been presumptuously confident before, completed his infamy by clapping up a peace with the *Cretans*. He felt his disgrace; and, having already a bad habit of body, shame and grief quickly brought him to his end. He died (in 682) bearing the surname of *Creticus*, that had been given him in derision.

Vid. supr.
P. 412.

In the year 684, the war against the *Cretans* was undertaken by public authority, and the conduct of it given to the Consul *Metellus* (colleague of *Hortensius*), as has been before mentioned. He acquitted himself of his commission with success: He defeated *Lasthenes*, one of their principal generals, reduced the strongest cities of *Crete* (*Cydonia*, *Gnossus*, and *Lyctus*), and obliged *Panares*, the author of the war, and even *Lasthenes*, to surrender themselves prisoners. Nevertheless, as the Consul treated the conquered with rigour, and they were naturally obstinate, and were supported by a great number of pirates, who had long had correspondence in the island, and places of retreat there, they still made a vigorous resistance.

Flor. l. iii.
c. 7.

Plut. in
Pomp.
App. Mi-
thrid. P.
235.
Dio. l.
xxxvi.

Things were in this situation, with regard to *Crete*, when the Tribune *Gabinus* (in the Consulship of *Acilius Glabrio* and *Calpurnius Piso*) moved, that the conduct of the war against the pirates might be given to *Pompey*.

The power of the pirates was arrived to such a height, that they had above a thousand good ships, well manned and furnished with skilful pilots.

pilots. They affected magnificence, and their ships glittered with gold and silver; their oars were silvered over; and the curtains of the cabins were of purple. If they went on shore, it was to feast themselves in the most sumptuous and costly manner; and these entertainments were accompanied with concerts of musick; their insolence and depredations had risen to an excess beyond all imagination. They had taken above 400 cities, and had plundered thirteen of the most famous temples in the world of all their riches: but their principal employment and delight, was to insult the *Romans*^b and humble the pride of *Italy*. They landed there, infested the main roads, and rifled the country houses that were not far from the sea.

Y.R. 686.
Bef. Chr.
66.
389 Conf.

But of all the mischiefs done by the pirates, that which occasioned most complaints at *Rome*, was the scarcity and dearness of provisions, a matter that always greatly affects the People.

Plut. in
Pomp.

^b When any one, who was taken by them, declared himself a *Roman*, they pretended to be frightened, and to tremble: they struck their thighs, and fell at his feet, to ask him pardon. And when they had obtained forgiveness, they placed themselves about him, put on his shoes, clothed him in his proper habit, that (as they said) they might never mistake him any more; and when, in this manner, they had a long while made him their sport, they placed a ladder on the side of their ship, next the water, intimating to their prisoner, that he was now in full liberty to leave the vessel, and go whithersoever he pleased; and, upon his declining the favour, they threw him overboard.

The daughter of that very *Marcus Antonius*, who had been appointed to clear the seas of them, was carried by them from his house at *Misenum*. Plut. in Pomp.

Y. R. 686.
Bef. Chr.
66.
385 Conf.

The multitude therefore were overjoyed at the proposal made by *Gabinus* to commission *Pompey* to clear the seas of those vermin. But the Tribune is said not to have been actuated by any zeal for the public welfare, but to have formed his project with the sole view of gaining *Pompey's* favour, and thereby mending his own fortune. He did not indeed name *Pompey* in the Law, but the public voice sufficiently declared him to be the man intended, and the Law was so worded, as to constitute, not a general, but a monarch throughout the whole extent of the *Roman* empire. *Gabinus* proposed, that, out of the Consulars, the People should chuse one, to whom the command should be given for three years over the whole *Mediterranean*, from the pillars of *Hercules*, and over all the provinces bordering on that sea, as far as fifty miles within land. The person elected was to have power to chuse out of the Senators fifteen Lieutenants, and to take money at discretion, both out of the public treasury, and from the farmers of the revenue: and he was to have a fleet of 200 sail, with power to raise both soldiers and seamen, in what numbers he should judge necessary.

Vell. Pat.
l. ii. c. 32.
Plut. in
Pomp.
Dio.

The Senators, who in general were very much alarmed at the Tribune's motion, which manifestly tended to give the Republic a sovereign, exclaimed loudly against it: they fell upon *Gabinus* with such rage, that, if we may believe *Dio*, he was near being killed upon the spot. The People, informed of the violence offered to their Tribune, turned their fury against the Senators, insomuch, that

that they were forced to seek their safety by flight. The Consul *Piso* distinguished himself on this occasion, telling *Pompey*, that, as he trod in the steps of *Romulus*, he ought to expect the like end: words, which brought *Piso* into the same danger with which he had threatened *Pompey*. For the multitude gathered about him, and his life would have been in great hazard, if *Gabinus*, who feared the odium that would be brought upon himself, by the murder of the Consul, had not controuled their fury. *Opposition* to the Tribune's bill, from some of his colleagues, was now the Senate's resource; but of the whole number two only, *L. Trebellius* and *L. Roscius Otho*, had the courage to brave the danger.

Y. R. 686.
Bef. Chr.
66.
385 Conf.

The day came for the tribes to give their suffrages upon the Law in question. *Pompey* acted his part to perfection. He ascended the Rostra, and addressed the People *to spare him*; [he was then but in his 39th year; and every body saw him in perfect health, and full of vigour; yet] *he was quite spent with his past fatigues*; — and — indeed — *he was afraid of envy*: — He desired nothing so much as the tranquillity of a private life: — Besides, — the Commonwealth had many other persons more capable of serving it: Of which capable persons, however, he would name none; because he would not give offence to any worthy man, whom, possibly, he might chance not to mention.

Gabinus likewise played his part in this comedy, undertaking to answer *Pompey's* reasons. He said, it were to be wished that the state abounded with men of superior merit, but that

Y. R. 686.

Bef. Chr.

66.

385 Conf.

these were rare; and, when a state was so happy as to possess ONE, it ought to reap advantage from his abilities. *For (turning to Pompey) you were not born for yourself only, you were born for your country.*

Vid. Vol.

VI. B. vi.

c. 7.

The Tribune *Trebellius* rose up to speak, but, observing that nobody was disposed to hear him, he only pronounced his VETO. *Gabinus*, thinking himself authorized by the example of *Tiberius Gracchus* (in the case of his colleague *Octavius*), moved to have *Trebellius* deposed from his office: And seventeen of the thirty-five tribes had already voted for deposing him, when he desisted from his *opposition*.

Plut. &

Dio.

Roscius Otho, intimidated by the danger which his colleague had just escaped, and not being able, by any exertion of his voice, to make himself heard, amidst the noise of a multitude in so violent an agitation, only lifted up two fingers in the air, to signify that he would have the power, which was proposed to be given to *Pompey*, divided between two. The People understood his meaning perfectly well, and raised a cry of indignation so loud, that a raven, it is said, flying over the Assembly, was struck with the noise, as with a thunder-clap, and fell dead in the midst of the Forum.

Midd. p.

118.

Plut. in

Pomp.

& Dio.

Nevertheless, the grant of a power so exorbitant, and unknown to the Laws, was strenuously opposed by *Catulus*, *Hortensius*, and all the chief men of the Senate (*Cæsar* excepted), as dangerous to the public liberty, nor fit to be intrusted to any single person. They alledged, that these
unusual

unusual grants were the cause of all the misery the Republic had suffered from the proscriptions of *Marius* and *Sylla*, who, by a perpetual succession of extraordinary commands, were made too great to be controuled by the authority of the Laws; that, though the same abuse of power was not to be apprehended from *Pompey*, yet the thing itself was pernicious, and contrary to the CONSTITUTION of *Rome*; that the equality of DEMOCRACY required, that the public honours should be shared alike by all who were worthy of them; that there was no other way to make men worthy, and to furnish the city with a number and choice of experienced commanders: He concluded — “ You love *Pompey*, and you have “ reason so to do. But your affection for him “ transports you too far; you charge him with “ all the most dangerous commissions, you expose “ him to the greatest dangers. Should you unfortunately happen to lose him, in whom would “ you place your confidence?” Upon which, as *Cicero* says, *he reaped the just fruit of his virtue, when they all cried out with one voice, IN YOU, CATULUS.*

Y.R. 686.
Bef. Chr.
66.
385 Conf.

Pro Leg.
Man. 20.

The greater part of the day being spent in these disputes and harangues, it was necessary to put off the decision of the affair to another Assembly. *Pompey* retired into the country, to shew his modesty, and to have the honour of being named in his absence to so important an employment. As there had been a precedent for the Law a few years before in favour of *M. Antonius*, a man much inferior both in merit and interest,
it

Y. R. 668.
Bef. Chr.
66.
385 Conf.

7162500 l.

* Post red.
in Senat. 5.

Cic. pro
Leg. Man.
Plut. in
Pomp.

it was carried against the united authority of all the magistrates, but with the general inclination of the People. *Pompey* returned by night to *Rome*, in order to shun the concourse of the multitude, and the congratulations of his friends, who, coming to meet him, would have made his entry a kind of triumphal procession. At break of day he came abroad, and offered a sacrifice; and the People being again assembled, granted him several things, which had not been granted him by *Gabinus's* law: for they decreed him 500 ships, 120,000 foot, 5,000 horse, twenty-four Lieutenants to be chosen out of the Senate, two Quæstors, and 6,000 talents. From the greatest scarcity of provisions, which had been known for a long time in *Rome*, the credit of *Pompey's* name sunk the price of them at once, as if plenty had been actually restored.

But though the Senate could not hinder the Law, yet they had their revenge on *Gabinus*, the author of it, by preventing his being chosen one of *Pompey's* Lieutenants, which was what he chiefly aimed at, and what *Pompey* himself solicited; though *Pompey* probably made him amends for it some other way. Since, as *Cicero* * says, he was so necessitous at this time, and so profligate, that, if he had not carried his Law, he must have turned pirate himself.

As *Pompey's* first view was to restore plenty to the city, and this by delivering *Sicily*, *Sardinia*, and the coasts of *Africa*, the three granaries of *Rome*, from the fear of the pirates, he so distributed his fleet, that in forty days all the seas, from

from the Streights to Greece, were perfectly cleared: provisions came in great abundance to the *Roman* markets, and *Pompey* was extolled to the skies. Only the Consul *Piso*, through an inflexible obstinacy, prevented, or retarded, the levies of soldiers and seamen which had been granted; which obliged *Pompey* to return to *Rome*. He was received with the loudest applauses; and the indignation of the People against *Piso* rose to such a height, that they were disposed to deprive him of the Consulship: *Gabinus* had already drawn up a Law for that purpose; but *Pompey* would not suffer things to be carried to that extremity. On the other hand, the Senate would not support the Consul in his last measures; so that *Pompey* obtained full satisfaction. He presently left *Rome*, and, at *Brundisium*, embarked again, in order to finish his enterprize.

The pirates, as fast as they were driven out of their lurking-places, bent their course towards *Cilicia*, which was their most secure retreat. *Pompey*, in pursuing them to that coast, met several of their small fleets, which surrendered to him: he treated his prisoners with great humanity, and this conduct very much facilitated the completion of his enterprize: for those of the pirates, who had avoided his Lieutenants, because more severe, came in from all parts to submit to him, and gave him intelligence of the retreats of the most resolute, and the most guilty of their associates. On the coast of *Cilicia*, near *Coracesium*, the whole remaining strength of the pirates, collected into one fleet, waited for him to give him battle.

Pompey,

Y. R. 686.
Bef. Chr.
66.
385 Const

Plut. in
Pomp.

Y. R. 686.
 Bef. Chr.
 66.
 385 Conf.

Pompey, with a fleet of sixty ships, defeated them without much difficulty. They shut themselves up in *Coracesum*, and sustained a siege; but at length, thinking it most prudent to submit, they surrendered to the victor their cities, the islands they had fortified, and, in a word, all their possessions, and themselves.

And thus was terminated the war with the pirates, the forty-ninth day after the departure of *Pompey* from *Brundisium*.

Pompey, in this expedition, had taken above 20,000 prisoners, and the question was how to dispose of them. He could not entertain the thought of putting them to death; and, on the other hand, it was not safe to leave it in their power to renew the late mischiefs. He reflected (says *Plutarch*) that man is neither brutal nor unfociable; that violence is a vice contrary to his nature, and may be changed by a change of habitation, and manner of living, as even the fiercest of wild beasts are, by such methods, made tame. He resolved therefore to remove his prisoners far from the sea-coast into the inland parts, and there disperse them. He settled many in certain cities of *Cilicia*, which were almost deserted; and especially in *Soli*, which had been lately ruined by *Tigranes*. It was afterwards called *Pompeiopolis*, from the name of its restorer. He likewise transplanted a considerable number of them into *Achaia*, and even into *Italy*.

Pompey made a great figure in this war with the pirates; but his conduct towards *Q. Metellus*, who had been commissioned to reduce the island
 of

of *Crete*, dishonoured him. The success of *Metellus* in that enterprize, and the obstinate resistance of the *Cretans*, aided by the pirates, have been already mentioned. As they had heard much of *Pompey's* lenity and clemency, they sent deputies to him in *Pamphylia*, where he then was, having reduced *Cilicia*, declaring by them, that they surrendered themselves to him, and were ready to submit to all that he should command.

Ambitious of ruling alone, *Pompey*, contrary to all reason and decency, received the deputies of the *Cretans*, and their associate pirates: and pretending, that his commission included all *Crete*, because no part of that island was fifty miles from the sea, he, by letter, ordered *Metellus* to cease the war: and he afterwards sent thither *Octavius*, one of his Lieutenants, to receive the submission of the people; and in his name, and by his authority, to establish a peace. *Metellus* paid no regard to these orders, but pressed the siege of the place he had invested; so that *Octavius*, a *Roman* commander, was shut up in a town with pirates, to sustain a siege against a *Roman* army. When *Metellus* had forced the place, he caused the pirates to be executed, and treated *Octavius* himself with the utmost contempt: representing to him the unworthiness of his general's conduct, who, to gratify a mean jealousy, had taken under his protection the enemies of Gods and men.

This affair continued in suspense till the next year, when the command of the war against *Mithridates* was given to *Pompey*; who then, being employed in more important cares, left *Metellus*

Y. R. 686.

Vid. supr.
P. 420.Cic. pro
Leg. Man.
c. 12.Plut. in
Pomp.

to

Y. R. 686. to complete the conquest of *Crete* without interfering any more. For this conquest, *Metellus* acquired the surname of *Creticus*; but his triumph was postponed, through the intrigues of *Pompey*, and the Tribunes of his faction.

Y. R. 687.
Bef. Chr.
65.
386 Conf.

In the following Consulship of *M. Æmilius Lepidus*, and *L. Volcatius Tullus, Manilius*, one of the Tribunes, no sooner entered on his office, than he raised a fresh disturbance in the City, by the promulgation of a Law, for granting to slaves set free, a right of voting among the tribes; which gave so much scandal to all, and was so vigorously opposed by the SENATE, that he was presently obliged to drop it: but being always venal, as *Velleius* says, and the tool of other men's power, that he might recover his credit with the People, and engage the favour of *Pompey*, he proposed a second Law, that *Pompey*, who was then in *Cilicia*, extinguishing the remains of the piratic war, should have the government of *Asia* added to his commission, with the command of the *Mithridatic war* and of all the Roman armies in those parts.

Vell. Pat.
1. ii. c. 33.

Plut. in
Pomp.
App. Mi-
thrid. p.
238.
Dio, 1.
xxxvi.

This was, as *Plutarch* observes, putting the whole Roman empire into the hands of a single man. The Senate therefore were more alarmed by this proposal, than they had been by that of *Gabinus*: But the People, who at that time idol-

It was about eight years since *Lucullus* was first sent to that war, in which, by a series of many great and glorious acts, he had acquired a reputation both of courage and conduct equal to that of the greatest generals.

ized *Pompey*, appeared so eagerly bent to exalt him, that of all the Fathers, not one, except *Hortensius* and *Catulus* (who had both been Consuls) ventured to speak in favour of the ancient maxims. *Servilius Isauricus*, a consular person; *Cæsar* (with a view, perhaps, to commissions for himself of the like irregular kind), and even *Cicero*, then Prætor, *Cicero*, the consummate patriot, supported the Tribune's proposal, though (as an ingenious and elegant writer observes) " They " had not the least pretence of public necessity " to justify it, as they seemed to have had in the " commission they gave him against the pirates, " who were, at that time, very formidable enemies: But *Lucullus*, who commanded in *Asia*, " had overcome *Mithridates* in several battles, " and was as capable of finishing the war, as he " whom they appointed to be his successor. " With an eloquence worthy of a better cause, " he most artfully reflected on *Lucullus*, whose " reputation, as well as his authority, was to be " made a sacrifice to the envy of *Pompey*: Then " he proceeded to descant upon *Pompey's* character, which he set off with all the ornaments of rhetoric; attributing to him the " whole success, not only of the *African*, *Spanish*, " and *Piratic* wars, but even of that against " the *Slaves*, the honour of which was solely " due to *Crassus*. Thus, by cruelly injuring two " of the greatest generals that were in the Commonwealth, by a most servile flattery of the " man who was manifestly overturning all its

" LIBER-

Y. R. 687.
Bef. Chr.
65.
368 Conf.

Observations on the Life and Writings of Cicero, p. 17: 2d edit.

Y. R. 687.

Bef. Chr.

65.

368 Conf.

"LIBERTIES^d, he brought the People to consent to [or rather made the People more ardently desirous to pass] the *MANILIAN Law*: which, had a^e regard to the interest of his country been his constant principle, he ought to have opposed as violently, as he did afterwards the *Agrarian Law*, or any other attempt against the safety and freedom of the state."

^d i. e. *All those remains of ROMAN LIBERTY, that could subsist under an usurped, Anticonstitutional, Infamous ARISTOCRACY, or OLIGARCHY; where not only Offices of Trust, and even the highest Magistracies, but Judiciary Decrees, were openly bought and sold. Vid. supra, p. 398, 399.*

^e "We have, says M. Crevier, the discourse which Cicero pronounced on this occasion. It is more to his honour as an orator, than as a patriot, or commonwealth's-man. Dio censures him for it, with a severity which I shall not imitate. This historian is almost always unjust in his judgment of those who distinguished themselves by their VIRTUE [i. e. their zeal for the *Aristocracy*] in the times we are speaking

Vid. supr.

p. 424,

425.

"of. In truth, it is very hard to clear Cicero from the charge of not being faithful enough to the maxims of the ARISTOCRACY [as if it was a proof of *Virtue* to adhere to those maxims in the *Roman DEMOCRACY*.] "But he had the *Consulship* nearly in view, and it behoved him therefore to gain the People's favour, and make sure of the friendship of Pompey. I am, nevertheless, persuaded, that, if Cicero had looked upon Manilius's project, as a measure pernicious to the Commonwealth, he would never have promoted it, for the sake of any personal advantage to himself."

This is surely having a faith absolutely implicit in the virtue and integrity of Cicero, such a faith as Cicero, in excuse of himself, pretends to have had in the virtue of Pompey. How far this faith is defensible, I shall leave to the reader's consideration. Most persons, who are members of a FREE state, will, I imagine, judge, that if Pompey aspired to the commission in question, or discovered a willingness to accept it, he was by

Mani-

Manlius's bill, passing into a Law, placed *Pompey* at the utmost height of his wishes; he saw himself raised, by the suffrages of his fellow-citizens, to a power almost equal to that which *Sylla* had forcibly usurped. But his natural disposition, and a long habit of profound dissimulation, made him pretend great affliction, when he received the news of the honour done to him. His friends vied with each other in expressing their joy; but he, frowning and striking his thigh, cried out, *O Gods! am I then condemned to endless labour? How much better would it have been for me to have lived without glory and unknown, than to be thus for ever armed, for ever making war! Must I then be always exposed to that envy which persecutes me? Must I never be suffered to enjoy, in the tranquillity of a country life, the dear company of my wife and children?* This dissimulation, this hypocrisy (says *Plutarch* ^a) was intolerable even to his most familiar friends who well knew, that, beside the

Plut.
Dio.
Appian.

no means fit to be trusted with it; unless it were intended by his constituents as a thing eligible and desirable, to reduce the government to a *Monarchy*.

I have observed, that this ingenious *French* writer seems frequently to make the *ARISTOCRACY*, and the *COMMONWEALTH*, or *FREE STATE*, synonymous terms; whereas the *Freedom of the Roman People*, from the time of *Sylla*, who, by Laws of his own, established the *ARISTOCRACY*, was surely, at best, no better than the freedom of outlaws and banditti, who are under the guidance of suitable leaders; and the *SENATE* itself was notoriously a *Spelunca Latronum*.

^a N. B. This historian, in the beginning of his *History of Pompey's Life*, makes *sincerity* and *veracity* parts of his character.

Y. R. 682.

Bef. Chr.

73.
378 Conf.

pleasure of having his ambition satisfied, he had another exquisite joy, from the mortification of his hated rival *Lucullus*, to whom nothing could be more offensive, than to be supplanted in his command by *Pompey*. But, before we enter on *Pompey's* exploits, in the war against *Mithridates*, it will be proper to take a view of what had passed in *Asia* and the East, since the PEACE which that prince concluded with *Sylla*, in the year 668 of *Rome*; and of the present situation of things in that country.

The END of the SEVENTH VOLUME,

